



---

Volume 31 (2001)

Pennsylvania Bulletin  
Repository

---

8-18-2001

**August 18, 2001 (Pages 4519-4628)**

Pennsylvania Legislative Reference Bureau

Follow this and additional works at: [https://digitalcommons.law.villanova.edu/pabulletin\\_2001](https://digitalcommons.law.villanova.edu/pabulletin_2001)

---

**Recommended Citation**

Pennsylvania Legislative Reference Bureau, "August 18, 2001 (Pages 4519-4628)" (2001). *Volume 31 (2001)*. 33.

[https://digitalcommons.law.villanova.edu/pabulletin\\_2001/33](https://digitalcommons.law.villanova.edu/pabulletin_2001/33)

This August is brought to you for free and open access by the Pennsylvania Bulletin Repository at Villanova University Charles Widger School of Law Digital Repository. It has been accepted for inclusion in Volume 31 (2001) by an authorized administrator of Villanova University Charles Widger School of Law Digital Repository.

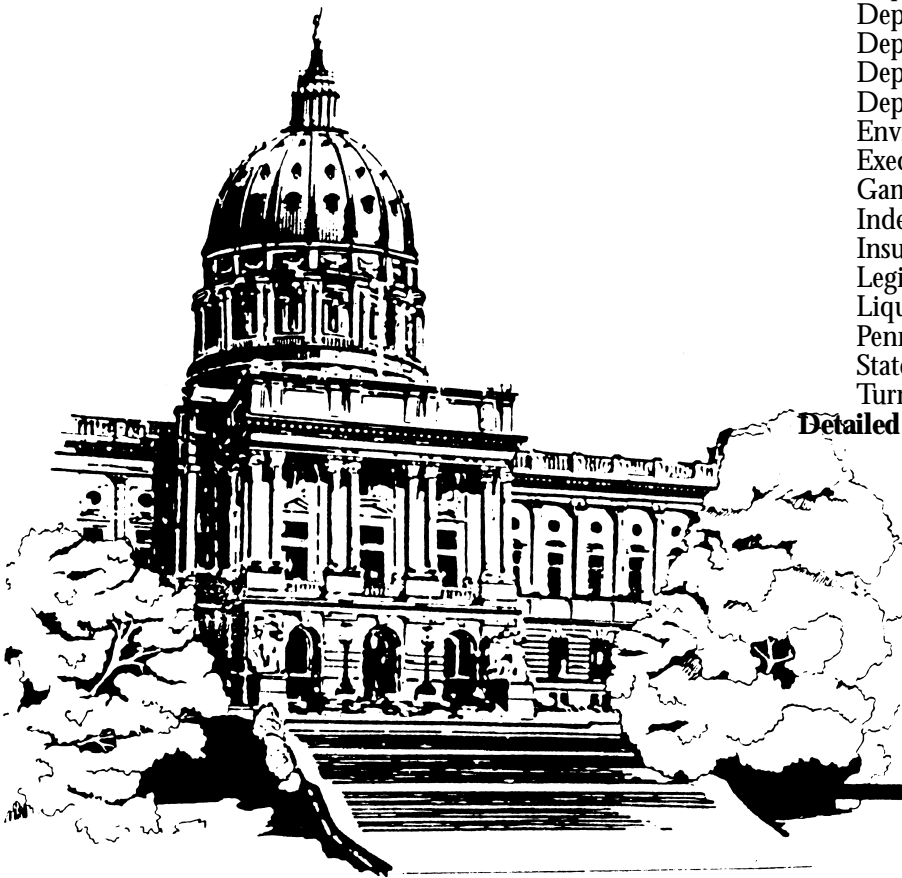
# PENNSYLVANIA BULLETIN

Volume 31  
Saturday, August 18, 2001 • Harrisburg, Pa.  
Number 33  
Pages 4519—4628

**Agencies in this issue:**

The Courts  
Department of Agriculture  
Department of Banking  
Department of Community and Economic  
Development  
Department of Conservation and Natural  
Resources  
Department of Environmental Protection  
Department of General Services  
Department of Health  
Department of Public Welfare  
Department of Revenue  
Department of Transportation  
Environmental Quality Board  
Executive Board  
Game Commission  
Independent Regulatory Review Commission  
Insurance Department  
Legislative Reference Bureau  
Liquor Control Board  
Pennsylvania Public Utility Commission  
State Employees' Retirement Board  
Turnpike Commission

**Detailed list of contents appears inside.**



PRINTED ON 100% RECYCLED PAPER



**Latest Pennsylvania Code Reporter  
(Master Transmittal Sheet):**

**No. 321, August 2001**

CUT ON DOTTED LINES AND ENCLOSE IN AN ENVELOPE

**CHANGE NOTICE**

If information on mailing label is incorrect, please make changes in space provided below and mail to:

**FRY COMMUNICATIONS, INC.**

Attn: *Pennsylvania Bulletin*

**800 W. Church Rd.**

**Mechanicsburg, PA 17055-3198**

CUSTOMER NUMBER (6 digit number above name)

NAME OF INDIVIDUAL

OFFICE NAME—TITLE

ADDRESS (Number and Street)

(City)

(State)

(Zip Code)

TYPE OR PRINT LEGIBLY

**PENNSYLVANIA**



**BULLETIN**

(ISSN 0162-2137)

published weekly by Fry Communications, Inc. for the Commonwealth of Pennsylvania, Legislative Reference Bureau, 647 Main Capitol Building, State & Third Streets, Harrisburg, Pa. 17120, under the policy supervision and direction of the Joint Committee on Documents pursuant to Part II of Title 45 of the Pennsylvania Consolidated Statutes (relating to publication and effectiveness of Commonwealth Documents). Subscription rate \$82.00 per year, postpaid to points in the United States. Individual copies \$2.50. Checks for subscriptions and individual copies should be made payable to "Fry Communications, Inc." Periodicals postage paid at Harrisburg, Pennsylvania.

Postmaster send address changes to:

**FRY COMMUNICATIONS**

Attn: *Pennsylvania Bulletin*

800 W. Church Rd.

Mechanicsburg, Pennsylvania 17055-3198

(717) 766-0211 ext. 2340

(800) 334-1429 ext. 2340 (toll free, out-of-State)

(800) 524-3232 ext. 2340 (toll free, in State)

Orders for subscriptions and other circulation matters should be sent to:

**Fry Communications, Inc.**

Attn: *Pennsylvania Bulletin*

800 W. Church Rd.

Mechanicsburg, PA 17055-3198

Copyright © 2001 Commonwealth of Pennsylvania  
ISBN 0-8182-0004-9

Editorial preparation, composition, printing and distribution of the *Pennsylvania Bulletin* is effected on behalf of the Commonwealth of Pennsylvania by FRY COMMUNICATIONS, Inc., 800 W. Church Road, Mechanicsburg, Pennsylvania 17055-3198.

# CONTENTS

## THE COURTS

<b>DISCIPLINARY BOARD OF THE SUPREME COURT</b>	
Notice of disbarment.....	4535
<b>JUDICIAL SYSTEM GENERAL PROVISIONS</b>	
Selection of the Special Independent Prosecutor's Panel.....	4528
<b>MINOR COURT CIVIL RULES</b>	
Satisfaction of money judgments.....	4528

## EXECUTIVE AGENCIES

### DEPARTMENT OF AGRICULTURE

#### Notices

Dog Control Facility Bill Reimbursement Grant Program.....	4545
--	------

### DEPARTMENT OF BANKING

#### Notices

Action on applications.....	4546
-----------------------------	------

### DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

#### Notices

Educational Improvement Tax Credit Program.....	4547
Pennsylvania Housing Advisory Committee meeting.....	4548

### DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

#### Notices

Notice of proposed transfer of lands from DCNR, Bureau of Forestry, to Department of Transportation.....	4548
--	------

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

*See also ENVIRONMENTAL QUALITY BOARD*

#### Notices

Applications, actions and special notices.....	4548
--	------

### DEPARTMENT OF GENERAL SERVICES

#### Notices

Contract awards.....	4628
State contracts information.....	4621

### DEPARTMENT OF HEALTH

#### Notices

Applications for exceptions:	
Allegheny General Hospital.....	4592
Leonard P. Ferrara, M.D.....	4592
Geisinger HealthSouth Rehabilitation Hospital ...	4592
Graduate Hospital.....	4592
Heritage Valley Health System.....	4593
Lancaster NeuroScience & Spine Associates.....	4593
Latrobe Area Hospital.....	4593
Riverview Ambulatory Surgical Center, L.L.C.....	4594

SemperCare Hospital.....	4594
St. Joseph Medical Center.....	4594
Suburban General Hospital.....	4594
The Western Pennsylvania Hospital.....	4595
Hearing Aid Advisory Council meeting.....	4595
Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee; public meeting ..	4595
Laboratories approved to perform blood lead and/or erythrocyte protoporphyrin determination under the Clinical Laboratory Act.....	4595
Request for exception; long-term care nursing facilities.....	4597

### DEPARTMENT OF PUBLIC WELFARE

#### Rules and Regulations

Notice of delay of the implementation date of §§ 3800.187 and 3800.188 relating to administration and medications administration training.....	4536
--	------

#### Notices

Ongoing list of behavioral health managed care organizations.....	4598
---	------

### DEPARTMENT OF REVENUE

#### Notices

Pennsylvania Candy Cane Cash instant lottery game.....	4599
Pennsylvania Jack O'Lantern Cash instant lottery game.....	4600
Pennsylvania Mistletoe Doubler instant lottery game.....	4602

### DEPARTMENT OF TRANSPORTATION

#### Notices

Application for lease of right-of-way.....	4604
Approved speed-timing devices and appointment of maintenance and calibration stations.....	4605
Disadvantaged Business Enterprise participation in FAA funded contracts.....	4605
Disadvantaged Business Enterprise participation in FTA funded contracts.....	4606
Finding.....	4607

### ENVIRONMENTAL QUALITY BOARD

#### Proposed Rulemaking

Coal mine permits/road requirements.....	4538
--	------

### EXECUTIVE BOARD

#### Statements of Policy

Reorganizations of the:	
Department of Education.....	4542
Department of Labor and Industry.....	4542

### GAME COMMISSION

#### Rules and Regulations

Corrective amendment to Pa. Code § 139.2.....	4536
Deer hunting.....	4536

---

**Now Available Online at <http://www.pabulletin.com>**

---

**INDEPENDENT REGULATORY REVIEW  
COMMISSION**

**Notices**

Notice of comments issued ..... 4608  
 Notice of filing of final rulemakings..... 4609

**INSURANCE DEPARTMENT**

**Notices**

Application for approval to acquire control..... 4609  
 Blue Cross of Northeastern Pennsylvania, Pennsylvania Blue Shield and First Priority Health; Age-Gender-Industry Rating; rate filing ..... 4609  
 Erie Insurance Exchange; private passenger auto insurance rate and rule revision ..... 4609  
 Independence Blue Cross; filing no. 3-P-01; nongroup Basic Blue Cross and Special Care ..... 4610  
 Pennsylvania Medical Society Liability Insurance Company; physicians and surgeons liability rate and rule filing..... 4610  
 Progressive Northern Insurance Company; private passenger auto program; rate filing ..... 4610  
 QCC Insurance Company; filing no. QCC-1-2001, Nongroup Personal Choice rate increase; forms 13029, 13030, 13031 ..... 4610  
 Review procedure hearings; cancellation or refusal of insurance ..... 4611

Review procedure hearings under the Unfair Insurance Practices Act ..... 4611

**LEGISLATIVE REFERENCE BUREAU**

**Notices**

Documents filed but not published..... 4612

**LIQUOR CONTROL BOARD**

**Notices**

Expiration of leases..... 4613

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Notices**

Default orders (3 documents) ..... 4613, 4614  
 Service of notice of motor carrier applications..... 4615  
 Telecommunications (4 documents)..... 4617, 4618  
 Water and wastewater service ..... 4619

**STATE EMPLOYEES' RETIREMENT BOARD**

**Notices**

Hearings scheduled ..... 4619

**TURNPIKE COMMISSION**

**Notices**

Retention of an engineering firm..... 4619

# READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

## ***Pennsylvania Bulletin***

The *Pennsylvania Bulletin* is the official gazette of the Commonwealth of Pennsylvania. It is published every week and includes a table of contents. A cumulative subject matter index is published quarterly.

The *Pennsylvania Bulletin* serves several purposes. First, it is the temporary supplement to the *Pennsylvania Code*, which is the official codification of agency rules and regulations and other statutorily authorized documents. Changes in the codified text, whether by adoption, amendment, repeal or emergency action must be published in the *Pennsylvania Bulletin*. Further, agencies proposing changes to the codified text do so in the *Pennsylvania Bulletin*.

Second, the *Pennsylvania Bulletin* also publishes: Governor's Executive Orders; State Contract Notices; Summaries of Enacted Statutes; Statewide and Local Court Rules; Attorney General Opinions; Motor Carrier Applications before the Public Utility Commission; Applications and Actions before the Department of Environmental Protection; Orders of the Independent Regulatory Review Commission; and other documents authorized by law.

The text of certain documents published in the *Pennsylvania Bulletin* is the only valid and enforceable text. Courts are required to take judicial notice of the *Pennsylvania Bulletin*.

## **Adoption, Amendment or Repeal of Regulations**

Generally an agency wishing to adopt, amend or repeal regulations must first publish in the *Pennsylvania Bulletin* a Notice of Proposed Rulemaking. There are limited instances where the agency may omit the proposal step; they still must publish the adopted version.

The Notice of Proposed Rulemaking contains the full text of the change, the agency contact person, a fiscal note required by law and background for the action.

The agency then allows sufficient time for public comment before taking final action. An adopted proposal must be published in the *Pennsylvania*

*Bulletin* before it can take effect. If the agency wishes to adopt changes to the Notice of Proposed Rulemaking to enlarge the scope, they must re-propose.

## **Citation to the *Pennsylvania Bulletin***

Cite material in the *Pennsylvania Bulletin* by volume number and page number. Example: Volume 1, *Pennsylvania Bulletin*, page 801 (short form: 1 Pa.B. 801).

## ***Pennsylvania Code***

The *Pennsylvania Code* is the official codification of rules and regulations issued by Commonwealth agencies and other statutorily authorized documents. The *Pennsylvania Bulletin* is the temporary supplement to the *Pennsylvania Code*, printing changes as soon as they occur. These changes are then permanently codified by the *Pennsylvania Code Reporter*, a monthly, loose-leaf supplement.

The *Pennsylvania Code* is cited by title number and section number. Example: Title 10 *Pennsylvania Code*, § 1.1 (short form: 10 Pa.Code § 1.1).

Under the *Pennsylvania Code* codification system, each regulation is assigned a unique number by title and section. Titles roughly parallel the organization of Commonwealth government. Title 1 *Pennsylvania Code* lists every agency and its corresponding *Code* title location.

## **How to Find Documents**

Search for your area of interest in the *Pennsylvania Code*.

The *Pennsylvania Code* contains, as Finding Aids, subject indexes for the complete *Code* and for each individual title, a list of Statutes Used As Authority for Adopting Rules and a list of annotated cases. Source Notes give you the history of the documents. To see if there have been recent changes, not yet codified, check the List of *Pennsylvania Code* Chapters Affected in the most recent issue of the *Pennsylvania Bulletin*.

The *Pennsylvania Bulletin* also publishes a quarterly List of Pennsylvania Code Sections Affected which lists the regulations in numerical order, followed by the citation to the *Pennsylvania Bulletin* in which the change occurred.

**SUBSCRIPTION INFORMATION: (717) 766-0211  
GENERAL INFORMATION AND FINDING AIDS: (717) 783-1530**

### Printing Format

Material proposed to be added to an existing rule or regulation is printed in **bold face** and material proposed to be deleted from such a rule or regulation is enclosed in brackets [ ] and printed in **bold face**. Asterisks indicate ellipsis of *Pennsylvania Code* text retained without change. Proposed new or additional regulations are printed in ordinary style face.

### Fiscal Notes

Section 612 of The Administrative Code of 1929 (71 P. S. § 232) requires that the Office of Budget prepare a fiscal note for regulatory actions and administrative procedures of the administrative departments, boards, commissions or authorities receiving money from the State Treasury stating whether the proposed action or procedure causes a loss of revenue or an increase in the cost of programs for the Commonwealth or its political subdivisions; that the fiscal note be published in the *Pennsylvania Bulletin* at the same time as the proposed change is advertised; and that the fiscal note shall provide the following information: (1) the designation of the fund out of which the appropriation providing for expenditures under the action or procedure shall be made; (2) the probable cost for the fiscal year the program is implemented; (3) projected cost estimate of the program for each of the five succeeding fiscal years; (4) fiscal history of the program for which expenditures are to be made; (5) probable loss of revenue for the fiscal year of its implementation; (6) projected loss of revenue from the program for each of the five succeeding fiscal years; (7) line item, if any, of the General Appropriation Act or other appropriation act out of which expenditures or losses of Commonwealth funds shall occur as a result of the action or procedures; (8) recommendation, if any, of the Secretary of the Budget and the reasons therefor.

The required information is published in the foregoing order immediately following the proposed change to which it relates; the omission of an item indicates that the agency text of the fiscal note states that there is no information available with respect thereto. In items (3) and (6) information is set forth for the first through fifth fiscal years; in that order, following the year the program is implemented, which is stated. In item (4) information is set forth for the current and two immediately preceding years, in that order. In item (8) the recommendation, if any, made by the Secretary of Budget is published with the fiscal note. See 4 Pa. Code § 7.231 *et seq.* Where “no fiscal impact” is published, the statement means no additional cost or revenue loss to the Commonwealth or its local political subdivision is intended.

### Reproduction, Dissemination or Publication of Information

Third parties may not take information from the *Pennsylvania Code* and *Pennsylvania Bulletin* and reproduce, disseminate or publish such information except as provided by 1 Pa. Code § 3.44. 1 Pa. Code § 3.44 reads as follows:

#### § 3.44. General permission to reproduce content of Code and Bulletin.

Information published under this part, which information includes, but is not limited to, cross references, tables of cases, notes of decisions, tables of contents, indexes, source notes, authority notes, numerical lists and codification guides, other than the actual text of rules or regulations may be reproduced only with the written consent of the Bureau. The information which appears on the same leaf with the text of a rule or regulation, however, may be incidentally reproduced in connection with the reproduction of the rule or regulation, if the reproduction is for the private use of a subscriber and not for resale. There are no other restrictions on the reproduction of information published under this part, and the Commonwealth hereby consents to a reproduction.

# List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2001.

## 4 Pa. Code (Administration)

### Adopted Rules

1	1455
6	2546
7	1456, 3516
118	3520
119	3529
119a	3534
120	3534
243	4170
245	4170

### Proposed Rulemaking

243	1587
245	1587
259	2124

### Statements of Policy

9	11, 648, 948, 1862, 2382, 3554, 3957, 4542
---	---

## 7 Pa. Code (Agriculture)

### Adopted Rules

21	1682
130c	1691
137	1701
137a	1701
137b	1701
138g	2110
138i	1729
138j	2116
138k	2110

### Statements of Policy

150	2384
-----	------

## 10 Pa. Code (Banks and Banking)

### Proposed Rulemaking

44	1236, 1564
----	------------

## 17 Pa. Code (Conservation and Natural Resources)

### Statements of Policy

44	650
----	-----

## 19 Pa. Code (Corporations and Business Associations)

### Adopted Rules

3	4405
---	------

## 22 Pa. Code (Education)

### Adopted Rules

14	3021
342	3021
711	3033

### Proposed Rulemaking

4	2136
73	2017

## 25 Pa. Code (Environmental Protection)

### Adopted Rules

78	1736
86	145
88	3735
90	3735
93	3893, 3894

109	3895, 3938
121	4171
210	3751
211	3751
240	1742
250	235
260a	2873
261a	2873
266a	2873
270a	2873
284	3942
287	235, 2873
288	235
289	235
291	235
293	235
295	235
297	235
298	2873
299	235
1021	428

### Proposed Rulemaking

86	4538
87	4538
88	4538
90	4538
93	2375, 3956
218	943
221	792
227	792
228	792
261a	796
271	796
272	796
901	1233
977 (correction)	158

## 28 Pa. Code (Health)

### Adopted Rules

4	4064
9	3043
25	2373

### Proposed Rulemaking

27	2126, 2271
28	2271
501	2271
701	2124
703	2124

## 31 Pa. Code (Insurance)

### Adopted Rules

3	2000
11	2001
25	4406
89 (correction)	145
118	3190
116	4423
146a	4426
147	2002

### Proposed Rulemaking

146a	1748, 1858
------	------------



**34 Pa. Code (Labor and Industry)**

**Adopted Rules**  
 123 ..... 3841  
 125 ..... 3841  
 129 ..... 3841  
 143 ..... 3841  
 231 ..... 3765

**Proposed Rulemaking**  
 65 ..... 1564  
 401 ..... 3543

**37 Pa. Code (Law)**

**Adopted Rules**  
 31 ..... 1145  
 33 ..... 1145  
 58 ..... 3312  
 59 ..... 3312  
 199 ..... 3191  
 303 ..... 2685

**Proposed Rulemaking**  
 91 ..... 2476  
 93 ..... 2476  
 421 ..... 788

**40 Pa. Code (Liquor)**

**Adopted Rules**  
 5 ..... 430  
 7 ..... 430  
 9 ..... 430  
 11 ..... 430  
 13 ..... 430

**49 Pa. Code (Professional and Vocational Standards)**

**Adopted Rules**  
 3 ..... 1225  
 9 ..... 1744  
 11 ..... 147, 151, 1154  
 39 ..... 1362  
 40 ..... 537  
 43b ..... 1227

**Proposed Rulemaking**  
 3 (with correction) ..... 2686, 2808  
 13 ..... 1468  
 16 ..... 2181  
 18 ..... 2181  
 19 (with correction) ..... 822, 2691, 2808  
 21 ..... 809  
 27 ..... 2480  
 29 ..... 1858  
 40 ..... 1470, 2379  
 41 ..... 2380  
 47 ..... 1571  
 48 ..... 1571  
 49 ..... 1571

**Statements of Policy**  
 63 ..... 4189

**51 Pa. Code (Public Officers)**

**Adopted Rules**  
 17 ..... 2925  
 21 ..... 2925

**52 Pa. Code (Public Utilities)**

**Adopted Rules**  
 3 (with correction) ..... 3943, 4088  
 62 (with correction) ..... 2005, 3943, 4088  
 63 ..... 3402  
 64 ..... 641

**Proposed Rulemaking**

59 ..... 805  
 63 ..... 809

**Statements of Policy**

41 ..... 2385  
 69 ..... 951

**Proposed Statements of Policy**

41 ..... 2389  
 69 ..... 2933

**55 Pa. Code (Public Welfare)**

**Adopted Rules**  
 140 ..... 3196  
 178 ..... 3196  
 181 ..... 3200  
 255 ..... 3538  
 275 ..... 3538  
 501 ..... 3538  
 3800 ..... 4536

**Proposed Rulemaking**

183 ..... 4172  
 3490 ..... 2799

**58 Pa. Code (Recreation)**

**Adopted Rules**  
 53 ..... 3202  
 61 ..... 3205  
 65 ..... 1368  
 69 ..... 3205  
 91 ..... 3206  
 105 ..... 3208  
 111 ..... 1369, 3206  
 131 ..... 2791  
 139 ..... 2791, 2793, 4536  
 141 ..... 1370, 2577, 4536  
 143 ..... 1460, 2926, 4088  
 147 ..... 2798, 2926

**Proposed Rulemaking**

53 ..... 1461  
 61 ..... 1373  
 63 ..... 3411  
 69 ..... 1373  
 71 ..... 3412  
 73 ..... 3412  
 91 ..... 1375  
 93 ..... 1377  
 105 ..... 1379  
 111 ..... 1375  
 131 ..... 1746  
 137 ..... 1746  
 139 ..... 1463, 1746, 2806, 2931, 4536  
 141 ..... 2019, 2931, 4536  
 143 ..... 1566  
 147 ..... 1566, 2806

**Statements of Policy**

57 ..... 3415

**61 Pa. Code (Revenue)**

**Adopted Rules**  
 899 ..... 2474

**Proposed Rulemaking**

71 ..... 2582

**Statements of Policy**

85 ..... 2585

**64 Pa. Code (Securities)  
Proposed Rulemaking**

202 ..... 4174  
 203 ..... 4174  
 301 ..... 4174  
 302 ..... 4174  
 303 ..... 4174  
 304 ..... 4174  
 606 ..... 4174

**Statements of Policy**

604 ..... 4451

**67 Pa. Code (Transportation)**

**Adopted Rules**

445 ..... 4089  
 491 ..... 4089

**201 Pa. Code (Judicial Administration)**

**Adopted Rules**

1 ..... 1319  
 3 ..... 1555

**204 Pa. Code (Judicial System General Provisions)**

**Adopted Rules**

71 ..... 2788  
 81 ..... 3728  
 82 ..... 1319, 3305  
 83 ..... 2108, 2788, 3728  
 85 ..... 3731  
 89 ..... 3731  
 91 ..... 2361, 3731  
 93 ..... 3731  
 215 ..... 4528

**207 Pa. Code (Judicial Conduct)**

**Adopted Rules**

21 ..... 2364  
 51 ..... 1556

**210 Pa. Code (Appellate Procedure)**

**Adopted Rules**

3 ..... 7, 2469  
 9 ..... 2469  
 11 ..... 2469  
 13 ..... 2469  
 17 ..... 2469  
 19 ..... 2469  
 25 ..... 627, 2469  
 35 ..... 2108, 3518  
 65 ..... 2108  
 67 ..... 1458

**Proposed Rulemaking**

31 ..... 2470  
 37 ..... 2470

**225 Pa. Code (Rules of Evidence)**

**Adopted Rules**

Article I ..... 1993  
 Article IV ..... 1993  
 Article V ..... 1993  
 Article VIII ..... 1993, 2788  
 Article X ..... 1993

**Proposed Rulemaking**

Article I ..... 405  
 Article VII ..... 406  
 Article VIII ..... 406  
 Article IX ..... 407

**231 Pa. Code (Rules of Civil Procedure)**

**Adopted Rules**

100 ..... 137  
 200 ..... 410, 627, 3184, 3305  
 1500 ..... 629  
 1910 ..... 3306  
 1930 ..... 3306  
 2120 ..... 137  
 2150 ..... 137  
 2170 ..... 137  
 2220 ..... 3184  
 Part II ..... 7, 3872

**Proposed Rulemaking**

200 ..... 411, 415  
 1000 ..... 411, 415  
 1300 ..... 2364, 2669  
 1910 ..... 1843  
 1930 ..... 1843  
 2170 ..... 2365  
 2950 ..... 2669  
 3000 ..... 416, 2669

**234 Pa. Code (Rules of Criminal Procedure)**

**Adopted Rules**

1 ..... 3310

**Proposed Rulemaking**

5 ..... 2549, 2554  
 11 ..... 2549

**237 Pa. Code (Juvenile Rules)**

Unclassified ..... 630

**246 Pa. Code (Minor Court Rules)**

**Adopted Rules**

100 ..... 1556, 4391  
 200 ..... 4055, 4166  
 300 ..... 926, 4055, 4166  
 400 ..... 4055, 4166  
 500 ..... 4055, 4166  
 800 ..... 4055, 4166

**Proposed Rulemaking**

200 ..... 1319, 4528  
 300 ..... 1319, 4528  
 400 ..... 1319, 2920, 4392, 4528  
 500 ..... 1319, 4392, 4528  
 1000 ..... 1319, 4528

**249 Pa. Code (Philadelphia Rules)**

Unclassified ..... 534, 1139, 1223, 1325,  
 1677, 1996, 2471, 2921, 3186, 3311, 3733, 4057

**252 Pa. Code (Allegheny County Rules)**

Unclassified ..... 630, 3186

**255 Pa. Code (Local Court Rules)**

Unclassified ..... 9, 139, 418, 423, 424,  
 534, 535, 536, 638, 639, 640,  
 780, 785, 786, 926, 941, 942, 1139,  
 1142, 1143, 1223, 1326, 1360, 1458, 1459,  
 1557, 1562, 1677, 1678, 1846, 1855, 1856, 1857,  
 1996, 1999, 2270, 2366, 2369, 2370, 2472, 2558,  
 2567, 2568, 2572, 2575, 2576, 2683, 2789, 2922,  
 2923, 3188, 3311, 3518, 3519, 3734, 3872, 3873,  
 4062, 4396

# THE COURTS

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

### ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

[204 PA. CODE CH. 215]

#### Selection of the Special Independent Prosecutor's Panel

Pursuant to 18 Pa.C.S. § 9311(b) the term of office for members of the Special Independent Prosecutor's Panel shall be for a period of three years. The term of office for the Honorable Rochelle S. Friedman, Commonwealth Court of Pennsylvania; the Honorable Paul W. Tressler, Montgomery County Court of Common Pleas; and the Honorable Donald E. Machen, Allegheny Court of Common Pleas expired on July 28, 2001.

Under 18 Pa.C.S. § 9311(a) (relating to selection of special independent prosecutor's panel), the Court Administrator of Pennsylvania is required to determine and supervise the procedure for selecting members of the panel.

In accordance with 18 Pa.C.S. § 9311(a), a panel composed of one judge of the Commonwealth Court and two judges of the Courts of Common Pleas were chosen at random. The judges selected were: the Honorable Dante R. Pellegrini, Commonwealth Court of Pennsylvania; the Honorable Thomas J. Terputac, Senior Judge, Washington County Court of Common Pleas; and the Honorable Margherita Patti Worthington, Monroe County Court of Common Pleas.

ZYGMONT A. PINES,  
*Court Administrator of Pennsylvania*

[Pa.B. Doc. No. 01-1485. Filed for public inspection August 17, 2001, 9:00 a.m.]

## Title 246—MINOR COURT CIVIL RULES

### PART I. GENERAL

[246 PA. CODE CHS. 200—500 AND 1000]

#### Satisfaction of Money Judgments

##### Introduction

In response to comments received after the proposal's first publication, the Minor Court Rules Committee has revised its proposal to renumber Pa. R.C.P.D.J. No. 325, adopt entirely new Pa. R.C.P.D.J. Nos. 211, 341, and 342, and amend or revise the Notes to Pa. R.C.P.D.J. Nos. 306, 315, 324, 402, 514, 518, 1001, and 1007 to provide a procedural mechanism for the entry of satisfaction of money judgments rendered by district justices, and to make other technical or "housekeeping" amendments to these rules. The original proposal and Report were published at 31 Pa.B. 1319 (March 10, 2001). The Committee has not submitted this proposal for review by the Supreme Court of Pennsylvania.

The following explanatory Revised Report highlights the Committee's considerations in formulating this proposal and the revisions made since the first publication. The Committee's Revised Report should not be confused with the official Committee Notes to the rules. The Supreme Court does not adopt the Committee's Notes or the contents of the explanatory Reports.

The text of the proposed changes precedes the Revised Report. Except for proposed entirely new rules, additions are shown in bold; deletions are in bold and brackets.

We request that interested persons submit suggestions, comments, or objections concerning this proposal to the Committee through counsel, Michael F. Krimmel, Counsel, Supreme Court of Pennsylvania, Minor Court Rules Committee, 5035 Ritter Road, Suite 700, Mechanicsburg, PA 17055, or e-mail to: [minorcourt.rules@supreme.court.state.pa.us](mailto:minorcourt.rules@supreme.court.state.pa.us) no later than Friday, September 14, 2001.

*By the Minor Court Rules Committee*

FRED A. PIERANTONI, III,  
*Chair*

### Annex A

#### TITLE 246. MINOR COURT CIVIL RULES

##### PART I. GENERAL

#### CHAPTER 200. RULES OF CONSTRUCTION; GENERAL PROVISIONS

#### **Rule 211. Abolished, Consolidated, or Changed Magisterial Districts; Subsequent Filings.**

When these rules specify that a party is to file or serve an ancillary or supplementary action in the court which rendered a judgment or issued other process, but that court no longer exists or its magisterial district boundaries have been changed, the party may file or serve the ancillary or supplementary action only in the court in which the original record of the proceedings containing the judgment is filed.

**Official Note:** This rule provides a procedure for filing or serving an ancillary or supplementary action, when the action should be filed or served in the court which rendered the judgment or issued other process, but that court has been abolished, consolidated or otherwise changed. Such actions may include a request for order of execution or a request for a certified copy of a judgment (see Rule 402), an objection to levy or other property claim (see Rule 413), a request for order of possession (see Rule 515), or a request for entry of satisfaction (see Rule 341), among others. The rule provides that, under these circumstances, the action may be filed or served only in the court which has become the official custodian of the original record, even though that court did not render the judgment.

Adopted \_\_\_\_\_, effective \_\_\_\_\_.

#### CHAPTER 300. CIVIL ACTION

#### **Rule 306. Numbering and Filing of Complaints.**

\* \* \* \* \*

**Official Note:** It was felt that this rule contained all the provisions concerning office procedures that should be required by rule. [It is hoped, however, that close supervision by the State Court Administrator will bring about ] The Court Administrator of Pennsylvania publishes

the *District Justice Automated Office Clerical Procedures Manual* that prescribes uniform filing, record keeping and other office procedures.

**“Complaints filed in the case by a defendant” means cross-complaints filed pursuant to Rule 315. Supplementary actions filed pursuant to Rule 342 shall be numbered and filed as miscellaneous docket actions.**

Amended June 30, 1982, effective 30 days after July 17, 1982; Note revised \_\_\_\_\_, effective \_\_\_\_\_.

**Rule 315. Claim by Defendant.**

A. The defendant, by filing [ **his own** ] a complaint at least five [ **(5)** ] days before the date set for the hearing, may assert in the case any claim against the plaintiff [ **which** ] that is within the jurisdiction of a district justice. Such a claim need not arise from the same transaction or occurrence from which the plaintiff's claim arose, nor need it be the same type of claim.

B. The rules governing the form, processing, and service of a plaintiff's complaint shall apply also to the defendant's complaint, and a date and time for the hearing of both complaints together shall be set which shall not be less than [ **twelve (12)** ] 12 or more than [ **thirty (30)** ] 30 days from the filing of the defendant's complaint.

\* \* \* \* \*

D. If the defendant files a cross-complaint, the district justice shall promptly notify the plaintiff of the time and date set for the hearing of both complaints together. If the plaintiff has an attorney of record [ **named in the complaint form filed by him** ], the notice shall be given to the attorney of record instead of to the plaintiff.

**Official Note:** Subdivision A of this rule permits the defendant to file a cross-complaint against the plaintiff at least five days before the date originally set for the hearing, if it is for a claim cognizable by a district justice. [ **See the Judicial Code, § 1515(a)(3)** ] **See Section 1515(a)(3) of the Judicial Code, 42 Pa.C.S. § 1515(a)(3), [ as amended by § 10(18) of the Judiciary Act Repealer Act, Act of April 28, 1978, P. L. 202, No. 53, ]** as to waiver of jurisdictional limits, a defendant filing a cross-complaint being considered a “plaintiff” as to the cross-complaint within the meaning of this statute. [ **Such a claim need not comply with the counterclaim rules found in Pa. R.C.P. Nos. 1031(a) and 1046.** ] The requirement that a cross-complaint be filed at least five days before the hearing [ **limitation** ] is intended to give the district justice time to notify the plaintiff or [ **his** ] the plaintiff's attorney, under subdivision D of the rule, of any new hearing time and date [ **, so that he will not arrive at the office of the district justice with his witnesses only to find that the original date of the hearing has been changed to a later date** ]. Notice under subdivision D is not a substitute for the service required under subdivision B. If the defendant does not file [ **within the five day period, he can** ] an action at least five days before the hearing, the defendant may still file a complaint against the plaintiff but it will not be processed [ **under the cross-complaint rules** ] as a cross-complaint.

No provision has been made for a stay of the district justice proceedings upon notice by the defendant [ **that**

**he intends** ] of intention to commence an action in the court of common pleas on a claim against the plaintiff not within district justice jurisdiction. It was thought that no such provision was necessary, for if the plaintiff prevails in the district justice action the defendant may appeal, the appeal operates as an automatic supersedeas of the money judgment, the case is heard de novo, and the defendant may assert [ **his** ] a claim in the court of common pleas, possibly as a counterclaim. [ **See Pa. R.C.P.J.P. Nos.** ] **See Rules 1002, 1007, and 1008.**

Since a cross-complaint is in the nature of a responsive pleading, there is no fee for filing it.

\* \* \* \* \*

**No cross-complaint may be filed in a supplementary action filed under Rule 342. See Rule 342 and Note.**

Amended Oct. 17, 1975, effective in 90 days; Jan. 29, 1976, effective in 30 days; April 25, 1979, effective in 30 days; June 30, 1982, effective 30 days after July 17, 1982; amended \_\_\_\_\_, effective \_\_\_\_\_.

**Rule 324. Notice of Judgment, Dismissal or Continuance, and the Right to Appeal.**

A. The district justice shall promptly give or mail to the parties written notice of judgment, dismissal or continuance. The written notice shall be given or mailed to all parties, but if any party has an attorney of record [ **named in the complaint form** ], the written notice shall be given or mailed to the attorney of record instead of to the party.

B. [ **Notice** ] The written notice of judgment shall contain:

(1) advice as to the right of the parties to appeal, the time within which the appeal must be taken, and that the appeal is to the court of common pleas [ **.** ] ,

(2) a statement advising that, except as otherwise provided in the rules, if the judgment holder elects to enter the judgment in the court of common pleas, all further process must come from the court of common pleas and no further process may be issued by the district justice, and

(3) a statement advising that unless the judgment is entered in the court of common pleas the judgment debtor may file a request for entry of satisfaction with the district justice if the judgment debtor pays in full, settles, or otherwise complies with the judgment.

**Official Note:** As to subdivision B(2), see Rule 402(D) and Note. As to subdivision B(3), see Rule 341.

Amended effective Feb. 1, 1973; amended Oct. 17, 1975, effective in 90 days; April 25, 1979, effective in 30 days; June 30, 1982, effective 30 days after July 17, 1982; amended effective Dec. 1, 1983; amended March 27, 1992, effective June 25, 1992 [ **The March 27, 1992, Order provided in part: “In promulgating this Order, the Court recognizes that the District Justice Automation Project will be affected by said Rule changes and that, therefore, those Rules which affect the Project will become effective as the District Justice offices are brought on-line.”** ]; amended and Note added \_\_\_\_\_, effective \_\_\_\_\_.

Rule [ **325** ] 210. Practices Prohibited.

\* \* \* \* \*

[Amended] Rule 325 amended June 30, 1982, effective 30 days after July 17, 1982; renumbered Rule 210 \_\_\_\_\_, effective \_\_\_\_\_.

**SATISFACTION OF MONEY JUDGMENTS**

**Rule 341. Request for Entry of Satisfaction; Service; Entry of Satisfaction.**

A. If a judgment debtor has paid in full, settled, or otherwise complied with a judgment rendered in a district justice court, anyone interested in the judgment may request the entry of satisfaction of the judgment by filing a written request in the office of the district justice who rendered the judgment.

B. A request for entry of satisfaction by anyone other than the judgment creditor must be served upon the judgment creditor in accordance with the rules in the 300 Series regarding service of the complaint.

C. Within 90 days from the date of service of the request for entry of satisfaction, the judgment creditor shall enter satisfaction in the office of the district justice in which the request for entry of satisfaction was filed.

**Official Note:** Subdivision A provides a mechanism for a judgment debtor, or anyone interested in the judgment, to file a written request for entry of satisfaction in the office of the district justice who rendered the judgment. See Section 8104(a) of the Judicial Code, 42 Pa.C.S. § 8104(a).

The party requesting the entry of satisfaction must pay any costs for the entry of satisfaction. See Section 8104(a) of the Judicial Code, 42 Pa.C.S. § 8104(a).

Subdivision B is intended to provide a number of alternative methods of service. See Rules 307, 308, 309, 310, 311, 312 and 313. When permitted, service by mail should be at the option of the person filing the request for entry of satisfaction.

Upon the entry of satisfaction, the judgment debtor may file a true copy of the entry of satisfaction in any other district justice court in which the judgment may have been entered pursuant to Rule 402. Nothing in this rule is intended to suggest that it is the obligation of the judgment creditor to enter satisfaction in any court other than the court specified in subdivision C.

These procedures also apply to satisfaction of money judgments rendered in actions for the recovery of possession of real property (landlord/tenant actions). See Rules 514 and 518.

If a judgment creditor does not comply with the provisions of this rule, the judgment debtor may proceed under Rule 342.

A party may contest the entry of satisfaction by filing a petition to strike the entry of satisfaction with the court of common pleas.

Adopted \_\_\_\_\_, effective \_\_\_\_\_.

**Rule 342. Failure of Judgment Creditor to Enter Satisfaction; Supplementary Action.**

A. If the judgment creditor does not enter satisfaction within the 90 day period after service of the request as specified in Rule 341(C), the judgment debtor may commence a supplementary action for damages by filing a civil complaint in the office of the district justice in which the request for entry of satisfaction was filed.

B. (1) Except as provided in subparagraph B(2), upon the filing of a complaint as provided in subdivision A, the action shall proceed as a civil action in accordance with the rules of the 300 Series.

(2) No claim under Rule 315 will be permitted in a supplementary action filed pursuant to this Rule.

**Official Note:** A judgment debtor may seek damages pursuant to Section 8104(b) of the Judicial Code, 42 Pa.C.S. § 8104(b). The action commenced under subdivision A of this Rule is a supplementary proceeding in the matter in which the judgment was entered. As such, it must be filed in the office of the district justice in which the request for entry of satisfaction was filed. Also, the supplementary action shall be numbered and filed as a miscellaneous docket action. See Rule 306 and Note. Because the supplementary action is merely a continuation of the underlying action, there are no filing costs for it, however there may be costs for service of the action.

Subdivision B provides that, once a supplementary action is filed under subdivision A, the proceedings in the action, including the form of the complaint, setting the hearing date, service, and hearing, should proceed as if a regular civil action, except that no cross-complaints under Rule 315 will be permitted. See Rules 304 through 381. While it is not the intent of this rule to limit defenses that may be raised in a supplementary action, only those issues arising from the Rule 342 supplementary action are to be considered at the hearing. Therefore, subparagraph B(2) makes clear that no cross-complaints are permitted to be filed.

When rendering judgment in an action filed pursuant to this rule, the district justice may determine if the judgment debtor is entitled to damages under Section 8104(b) of the Judicial Code, 42 Pa.C.S. § 8104(b), and whether satisfaction should be entered on the underlying judgment.

A party may appeal from a judgment in an action filed pursuant to this rule, but issues on appeal are limited to those raised in the action filed under this rule. See Rule 1007.

Adopted \_\_\_\_\_, effective \_\_\_\_\_.

**CHAPTER 400. EXECUTION OF JUDGMENTS FOR THE PAYMENT OF MONEY**

**Rule 402. Request for Order of Execution. Entry of Judgment in Court of Common Pleas.**

A. Execution of a judgment for the payment of money rendered by a district justice may be ordered by a district justice in whose office the judgment was rendered or entered, provided the plaintiff files in that office

(1) not before the expiration of [ **thirty (30)** ] **30** days from the date the judgment is entered by the district justice, and

(2) within five [ **(5)** ] years of that date,

a request for an order of execution [ **on a form which shall be prescribed by the State Court Administrator** ].

\* \* \* \* \*

C. The plaintiff may enter the judgment, for the purpose of requesting an order of execution thereon, in an office of a district justice other than that in which it was rendered only if [ :

(1) **the office of the district justice in which the judgment is entered for execution is that of the district justice of the magisterial district within the boundaries of which the district justice who rendered the judgment conducted his magisterial business, or**

(2) ] levy is to be made outside the county in which the judgment was rendered and the office in which the judgment is entered for execution is that of a district justice whose magisterial district is situated in the county in which levy is to be made. The plaintiff may enter the judgment in such other office by filing therein a copy of the record of the proceedings containing the judgment, certified to be a true copy by the district justice in whose existing office the judgment was rendered or by any other official custodian of the record.

D. (1) The plaintiff may enter the judgment in the court of common pleas in any county. When so entered, the indexing, revival and execution of the judgment shall be in accordance with procedures applicable in the court of common pleas.

(2) The judgment may be entered in the court of common pleas by filing with the prothonotary a copy of the record of the proceedings containing the judgment, certified to be a true copy by the district justice in whose office the judgment was rendered or by any other official custodian of the record.

(3) The judgment may be entered in the court of common pleas after [ thirty (30) ] 30 days from the date the judgment is entered by the district justice. The judgment may not be entered in the court of common pleas after five [ (5) ] years from the date the judgment is entered by the district justice.

(4) Except as provided in subparagraph D(5) of this rule, once the judgment is entered in the court of common pleas all further process must come from the court of common pleas and no further process may be issued by the district justice.

(5) If the judgment has been entered in the court of common pleas and satisfaction of the judgment is entered in the court of common pleas, the district justice may enter the satisfaction on the docket of the district justice proceedings upon filing by any party in interest of proof of the entry of satisfaction.

**Official Note:** Under subdivision A of the rule, the execution proceedings are commenced by requesting an "order of execution." [ on a new form or form to be prescribed by the State Court Administrator. This is in accordance with the purpose of simplifying district justice procedures sought to be achieved throughout these rules. See the note to Rule 304. ] The request may not be filed before the expiration of [ thirty (30) ] 30 days from the date [ of ] the judgment is entered by the district justice. This will give the defendant an opportunity to obtain a supersedeas within the appeal period. The request must be filed within five [ (5) ] years of the date [ of ] the judgment is entered by the district justice. No provision has been made for revival of [ the ] a judgment in district justice proceedings.

Subdivision C provides for entering the judgment, for the purpose of requesting an order of execution, in an office of a district justice other than that in which the judgment was rendered [ , but imposes certain limitations upon the use of this procedure. The first instance in which this can be done, set forth in C(1), will provide a procedure for use in the case of abolished, consolidated or changed magisterial districts. The second instance, set forth in C(2), provides for a transfer of the judgment ] when levy is to

be made outside the county in which the judgment was rendered. Compare Pa. R.C.P. No. 3002.

As to Subdivision D, [ see the Judicial Code, § 1516, 42 Pa.C.S. § 1516. ] see Section 1516 of the Judicial Code, 42 Pa.C.S. § 1516. The [ thirty ] 30 day limitation in the rule appears to be required by this Section. Certification by the district justice should not be done before the expiration of [ thirty (30) ] 30 days after the date of entry of the judgment. The only method available to renew a judgment would be to record the judgment in the Prothonotary's office prior to the expiration of the five-year period and then follow the applicable Rules of Civil Procedure for the [ Revival of a Judgment, Rule 1521 and 3025 et seq. ] revival of judgments. See Pa.R.C.P. No. 3025 et seq. Also, [ Subdivision ] subdivision D makes clear that when the judgment is entered in the court of common pleas, all further process shall come from the court of common pleas and that no further process shall be issued by the district justice except that the district justice may enter proof of satisfaction of a judgment that had been entered in the court of common pleas and subsequently satisfied. This exception is necessary so that procedures exist for entering satisfaction of all judgments with the magisterial district court, regardless of whether the judgment has been certified to and satisfied at the court of common pleas.

Amended Jan. 29, 1976, effective in 30 days; amended effective March 24, 1977; amended April 25, 1979, effective in 30 days; June 30, 1982, effective 30 days after July 17, 1982; March 27, 1992, effective June 25, 1992; amended December 15, 2000, effective January 1, 2001; amended \_\_\_\_\_, effective \_\_\_\_\_.

**CHAPTER 500. ACTIONS FOR THE RECOVERY OF POSSESSION OF REAL PROPERTY**

**Rule 514. Judgment.**

\* \* \* \* \*

**Official Note:**

\* \* \* \* \*

**For procedure for entry of satisfaction of money judgments, see Rule 341.**

Amended April 25, 1979, effective in 30 days; June 30, 1982, effective 30 days after July 17, 1982; amended effective Dec. 1, 1983; amended March 27, 1992, effective June 25, 1992 [ **The March 27, 1992, Order provided in part: "In promulgating this Order, the Court recognizes that the District Justice Automation Project will be affected by said Rule changes and that, therefore, those Rules which affect the Project will become effective as the District Justice offices are brought on-line."** ]; March 28, 1996, effective March 29, 1996;

**Note revised \_\_\_\_\_, effective \_\_\_\_\_; Note revised \_\_\_\_\_, effective \_\_\_\_\_.**

**Rule 518. Satisfaction of Order by Payment of Rent and Costs.**

\* \* \* \* \*

**Official Note:**

[ Rent in arrears shall include only those sums ] "Rent actually in arrears" means the sum set forth on the order for possession.

**For procedure for entry of satisfaction of money judgments, see Rule 341.**

Amended June 30, 1982, effective 30 days after July 17, 1982; March 27, 1992, effective June 25, 1992 [ **The March 27, 1992, Order provided in part: "In promulgating this Order, the Court recognizes that the District Justice Automation Project will be affected by said Rule changes and that, therefore, those Rules which affect the Project will become effective as the District Justice offices are brought on-line."** ]; Note revised \_\_\_\_\_, effective \_\_\_\_\_.

**CHAPTER 1000. APPEALS**

**APPELLATE PROCEEDINGS WITH RESPECT TO JUDGMENTS AND OTHER DECISIONS OF DISTRICT JUSTICES IN CIVIL MATTERS**

**Rule 1001. Definitions.**

As used in this chapter:

\* \* \* \* \*

(6) *Claimant*—Includes a defendant with respect to a defendant's cross-complaint or supplementary action filed pursuant to Rule 342 in the action before the district justice.

(7) *Defendant*—Includes a plaintiff with respect to the defendant's cross-complaint or supplementary action filed pursuant to Rule 342 in the action before the district justice.

\* \* \* \* \*

Adopted June 1, 1971. Amended April 25, 1979, effective in 30 days; June 30, 1982, effective 30 days after July 17, 1982; amended effective Dec. 1, 1983; amended \_\_\_\_\_, effective \_\_\_\_\_.

**Rule 1007. Procedure on Appeal.**

\* \* \* \* \*

**B. [ The ] Except as otherwise provided in subdivision C, the action upon appeal [ shall ] may not be limited with respect to amount in controversy, joinder of causes of action or parties, counter-claims, added or changed averments or otherwise because of the particulars of the action before the district justice.**

**C. When an appeal is taken from a supplementary action filed pursuant to Rule 342, only those issues arising from the Rule 342 action are to be considered.**

**Official Note:** As under earlier law, the proceeding on appeal is conducted de novo, but the former rule that the proceeding would be limited both as to jurisdiction and subject matter to the action before the district justice [ (see *Crowell Office Equipment v. Krug*, 213 Pa.Super. 261, 247 A.2d 657, (1968) ] (see *Crowell Office Equipment v. Krug*, 213 Pa. Super. 261, 247 A.2d 657 (1968)) has not been retained. Under subdivision B, the court of common pleas on appeal can exercise its full jurisdiction and all parties will be free to treat the case as though it had never been before the district justice, subject of course to the Rules of Civil Procedure. **The only limitation on this is contained in subdivision C, which makes clear that an appeal from a supplementary action filed pursuant to Rule 342 is not intended to reopen other issues from the underlying action that were not properly preserved for appeal.**

Adopted June 1, 1971. Amended June 30, 1982, effective 30 days after July 17, 1982; amended \_\_\_\_\_, effective \_\_\_\_\_.

**REVISED REPORT**

*Proposed Renumbering of Pa. R.C.P.D.J. No. 325, Proposed New Pa. R.C.P.D.J. Nos. 211, 341, and 342, and Proposed Amendments to or Revisions to the Notes of Pa. R.C.P.D.J. Nos. 306, 315, 324, 402, 514, 518, 1001, and 1007*

**ENTRY OF SATISFACTION OF MONEY JUDGMENTS**

*I. Background*

The Committee undertook a review of the issue of the entry of satisfaction of money judgments in response to a request from the Administrative Office of Pennsylvania Courts (AOPC). AOPC advised the Committee that on several occasions, individuals against whom money judgments have been rendered reported that the judgments have appeared on their credit reports as outstanding when in fact the judgments were satisfied (paid in full). AOPC requested that the Committee review the need for some procedural mechanism for judgment debtors to request entry of satisfaction and for judgment creditors to enter satisfaction of judgments rendered by district justices. Currently, there is no such formal mechanism. This issue has come to the forefront because of the increased use by credit reporting agencies of data contained in the District Justice Automated System (DJS) to check for district justice judgments rendered against applicants for credit. Prior to automation, this was not a significant issue because there was no efficient way for credit reporting agencies to check for district justice judgments in the numerous district justice courts throughout the Commonwealth. The Committee learned, however, that since the 550-plus district justice courts have been fully automated via the DJS, several credit reporting agencies routinely request reports from AOPC to identify civil judgments that may have been entered against applicants for credit. The information requested by the credit reporting agencies is public record, and is provided in accordance with the AOPC's Access to District Justice Records Policy, 204 Pa. Code § 213.1 et seq.

The Committee was concerned that the information provided to credit reporting agencies may not be complete because satisfaction of judgment information is not entered in district justice civil cases. The Committee, therefore, wished to establish simplified procedures by which a judgment debtor may request an entry of satisfaction and a judgment creditor may enter a satisfaction in district justice court.

In conjunction with proposed new rules and amendments to, or revisions to the Notes of, existing rules regarding entry of satisfaction, the Committee also recognized the need to renumber Rule 325, and for several technical or "housekeeping" amendments to Rules 306, 315, 324, 402, and 1007.

In response to comments received after the proposal's first publication, the Minor Court Rules Committee made revisions to the original proposal. Because of the nature and extent of the revisions, the Committee deemed it necessary and appropriate to republish the proposal for additional comments. The original proposal and Report were published at 31 Pa.B. 1319 (March 10, 2001).

*II. Discussion of Rule Changes*

*A. Request for and Entry of Satisfaction—New Rules*

The Committee considered a number of options for incorporating into the rules a procedure for entry of

satisfaction of money judgments. The Committee decided that, no matter the approach, any new rules or amendments must be based on and consistent with Section 8104 of the Judicial Code, 42 Pa.C.S. § 8104, relating to duty of judgment creditor to enter satisfaction. It was suggested that one approach for dealing with satisfaction of judgments would be to simply notify the judgment creditor, via the Notice of Judgment form required by Rule 324 (Notice of Judgment, Dismissal or Continuance, and the Right to Appeal), that the judgment creditor has a duty to notify the court of satisfaction and that failure to do so could result in an action for damages under Section 8104. This approach would not necessarily have required a rule change, but only a request to AOPC to amend the Notice of Judgment form. The Committee, however, opted for a more formal and comprehensive rules-based approach.

There was also discussion about incorporating entry of satisfaction into an amendment to Rule 324 by requiring that the notice of judgment contain a notice that it is the obligation of the judgment creditor to timely notify the district court that a judgment has been satisfied.

Ultimately, however, the Committee decided that, in accordance with Section 8104, the burden should be on the judgment debtor to request an entry of satisfaction. Further, given the need for an entirely new procedure, the Committee decided that it was most appropriate to incorporate entry of satisfaction into the rules via entirely new rules dealing exclusively with this issue.

It was at first suggested that the Committee position the new rules immediately following the rules relating to civil judgments, perhaps as a new rule 326. Upon closer review of the existing rules, however, it seemed more appropriate to create an entirely new subset within the 300 series entitled "SATISFACTION OF MONEY JUDGMENTS." Also, in the course of this discussion, the Committee decided to renumber and move the existing Rule 325 because the subject matter of that rule more appropriately belongs in the 200 Series. (The renumbering of Rule 325 is addressed later in this Report.)

#### 1. *New Rule 341*

The Committee is proposing an entirely new Rule 341, entitled "Request for Entry of Satisfaction; Service; Entry of Satisfaction." Subdivision A of the new rule would provide a mechanism for a judgment debtor, or anyone with an interest in the judgment, to request an entry of satisfaction by filing a written request with the district justice who rendered the judgment.

Subdivision B of the new rule would address service of the request for entry of satisfaction. Unless the judgment creditor is the requesting party, the request would need to be served upon the judgment creditor in accordance with the existing rules regarding service of an original complaint. The proposed Note would make reference to Rules 307, 308, 309, 310, 311, 312 and 313.

Subdivision C of the new rule would provide that a judgment creditor would have 90 days from the date of service of the request for entry of satisfaction to enter satisfaction with the district justice who rendered the judgment, which satisfaction would forever discharge the judgment. It is the Committee's intention that, once satisfaction is entered, the satisfaction would appear in the DJS data as the final disposition of the case so that it is clear to inquiring credit agencies that the judgment has been paid. The proposed Note would also make clear that once the satisfaction is entered, the judgment debtor may file a true copy of the entry of satisfaction in any other district justice court in which the judgment may have

been entered pursuant to Rule 402. It is not the Committee's intention that the judgment creditor be required to enter the satisfaction in any court other than the district court in which judgment was rendered.

The Committee incorporates a number of clarifying statements in the proposed Note to the new rule. First, the Committee makes clear that if there are to be costs for the entry of satisfaction, the party requesting the entry of satisfaction would be responsible for payment of the costs. This is required by 42 Pa.C.S. § 8104(a). See *Beechwood v. Shieldmakers Enters.*, 6 Pa. D. & C.4<sup>th</sup> 508 (1990). Also, the Note makes clear that the procedures set forth in the new rule also apply to satisfaction of money judgments rendered in actions for the recovery of possession of real property (landlord/tenant actions). Finally, the Note states that a party may contend that satisfaction should not have been entered in a matter by filing a petition to strike entry of satisfaction with the court of common pleas. Although all other procedures relating to satisfaction are handled at the DJ level under these proposed rules, the Committee felt that petitions to strike an entry of satisfaction would be more appropriately handled at the common pleas level since the decision to strike an entry of satisfaction is an exercise of the court's general equitable powers.

#### 2. *New Rule 342*

The Committee is proposing an entirely new Rule 342, entitled "Failure of Judgment Creditor to Enter Satisfaction; Supplementary Action." Subdivision A of this new rule would provide a procedural mechanism for a judgment debtor to commence a supplementary action for liquidated damages under 42 Pa.C.S. § 8104(b) if the judgment creditor does not enter satisfaction as required by Rule 341. The supplementary action is to be filed in the office of the district justice in which the request for entry of satisfaction was filed. Further, the proposed Note makes clear that the action is to be indexed to the district justice's miscellaneous docket and a separate docket transcript is to be prepared for it. However, it is the Committee's intention that the supplementary action should be linked to the underlying action in the District Justice Automated System (DJS). Because the "Rule 342 action" is supplementary to the underlying judgment, there is no filing fee, however there may be costs for service of the action.

Subdivision B provides that the supplementary action is to proceed in accordance with the 300 Series rules as if a regular civil action. The Committee had considered an abbreviated hearing process similar to that provided for in Rules 420 and 421 when a party wishes to file an ancillary property claim in a case in which execution is underway. The Committee decided, however, that full due process (including notice, service and hearing requirements) should be afforded since the supplementary "Rule 342 action" could result in a judgment for liquidated damages being entered against the judgment creditor. After hearing in a "Rule 342 action" the district justice may determine if the judgment debtor is entitled to liquidated damages for the judgment creditor's failure to enter satisfaction, and may direct that satisfaction be entered in the underlying judgment. Subdivision B does include one exception to the general rule that the Rule 342 action proceed as a regular civil action: no claims under Rule 315 (cross-complaints) will be permitted. While it was not the intent of the Committee in drafting this rule to limit defenses that may be raised in a supplementary action, the Committee did believe that only those issues arising from the Rule 342 supplement-



tary action are to be considered at the hearing. Therefore, subdivision B(2) makes clear that no cross-complaints are permitted to be filed.

Either party may appeal from a district justice's judgment in a "Rule 342 action" in accordance with the regular appellate rules (that are discussed in greater detail below).

#### B. *Correlative Rule Changes*

##### 1. *Correlative Revision to the Note to Rule 306*

The Committee proposes a revision to the Note to Rule 306 to make clear that the phrase "[c]omplaints filed in the case by a defendant" means cross-complaints filed pursuant to Rule 315 and that these complaints are to be indexed to the same docket number as the plaintiff's underlying complaint. The Note clarifies the difference in the case of supplementary actions filed pursuant to the new Rule 342, that being the Rule 342 actions are to be docketed to the district justice's miscellaneous docket with a separate docket number and transcript.

Also, the Committee recommends an unrelated "house-keeping" revision to the Note to make reference to the *District Justice Automated Office Clerical Procedures Manual* as the main source of uniform filing, record keeping and other district court office procedures.

##### 2. *Correlative Amendment to Rule 315*

The Committee proposes a revision to the Note to Rule 315 to make clear that no cross-complaint may be filed in a supplementary action filed under Rule 342. See discussion *supra* Part II.A.2.

##### 3. *Correlative Amendment to Rule 324*

In addition to the new Rules 341 and 342, the Committee also proposes an amendment to Rule 324 to require that the Notice of Judgment form contain a statement advising that, upon satisfaction of a judgment, the judgment debtor may file a request for entry of satisfaction. The Committee recognized the need for this additional statement in the notice because most defendants in civil actions appear *pro se* and, absent a clear notice, may not know that they can request an entry of satisfaction that could effect the status of their personal credit history.

The Committee further proposes an amendment to the rule (not directly related to satisfaction of judgments) to require that the Notice of Judgment form contain a statement advising that if the judgment holder elects to enter the judgment in the court of common pleas, all further process must come from the court of common pleas and no further process may be issued by the district justice. The Note to Rule 402 was revised effective January 1, 2001 to clarify this restriction, and the Committee concluded that it should also be clearly stated in the notice of judgment so that a judgment holder can make an informed decision about entering a judgment in the court of common pleas. This is important because there are advantages and disadvantages to entering a judgment in the court of common pleas. Many judgment holders opt to enter the judgment in the court of common pleas because, once entered, it can act as a lien against real property. However, judgment holders must be aware that execution of the judgment at the common pleas level can be much more costly and complicated than at the district justice level. By making this restriction clear in the notice of judgment, a judgment holder can consider all factors before deciding to enter a judgment in the court of common pleas.

Also, the Committee proposes a minor amendment to further clarify that the district justice must give or mail

written notice of judgment to the parties or the parties' attorneys of record. Finally, the Committee proposes the addition of a Note to Rule 324 to make cross-references to Rules 402(D) and the new Rule 341.

##### 4. *Correlative Amendment to Rule 402*

As stated above, the Note to Rule 402 was revised effective January 1, 2001 to clarify that if the judgment holder elects to enter the judgment in the court of common pleas, all further process must come from the court of common pleas and no further process may be issued by the district justice. Upon further consideration, and in light of the important considerations relating to satisfaction of judgments, the Committee concluded that this restriction should be more prominently pronounced in the rule. Accordingly, the Committee recommends an amendment to Rule 402 to state clearly the restriction on further process from the district justice court after a judgment has been entered in the court of common pleas. The Committee did, however, want to provide a means for a district justice make an entry of satisfaction on the district justice docket if a judgment has been entered in the court of common pleas and then satisfied in the court of common pleas. This is necessary to prevent district justice judgments that are entered in the court of common pleas and then satisfied from remaining open on the district justice's docket and appearing on that docket as if they have not been satisfied. To accomplish this, the Committee recommends dividing Rule 402(D) into five numbered subparagraphs to fully outline the procedures for entering a judgment in the court of common pleas, with a new subparagraph (5) to read "if the judgment has been entered in the court of common pleas and satisfaction of the judgment is entered in the court of common pleas, the district justice may enter the satisfaction on the docket of the district justice proceedings upon filing by any party in interest of proof of the entry of satisfaction."

##### 5. *Correlative Revisions to the Notes to Rules 514 and 518*

Because the procedures for the entry of satisfaction set forth in the new Rules 341 and 342 also apply to the satisfaction of money judgments rendered in actions for the recovery of possession of real property (landlord/tenant actions), the Committee proposes revisions to the Notes of Rules 514 (relating to judgment in landlord/tenant actions) and 518 (relating to satisfaction of order for possession by payment of rent and costs) to cross reference new Rule 341. The Committee also included a clarification to the Note to Rule 518 that "rent actually in arrears" means the sum set forth on the order for possession.

##### 6. *Correlative Amendments to Rules 1001 and 1007*

The Committee recognized the need for minor amendments to appellate Rules 1001 and 1007 to fully provide for appeals from judgments rendered in "Rule 342 actions." First, the Committee proposes an amendment to Rule 1001(6) to make clear that a claimant in an appeal can include a defendant with respect to a defendant's supplementary action brought pursuant to new Rule 342. Likewise, the Committee proposes an amendment to Rule 1001(7) to make clear that a defendant in an appeal can include a plaintiff with respect to a defendant's supplementary action filed pursuant to Rule 342.

The Committee further proposes that Rule 1007 be amended by the addition of a subdivision C to restrict appeals from "Rule 342 actions" to issues that arise from the Rule 342 action. This is intended to make clear that

an appeal from a supplementary action filed pursuant to Rule 342 is not intended to reopen other issues from the underlying action that were not properly preserved for appeal.

### C. *Technical and "Housekeeping" Amendments*

In conjunction with the substantive changes discussed above, the Committee is proposing that Rule 325 be renumbered and moved. The Committee also proposes a new Rule 211 to deal with subsequent filings in abolished, consolidated, or changed magisterial districts. Finally, the Committee identified a number of technical and "housekeeping" amendments needed in Rules 324 and 402.

#### 1. *Renumbering and Moving Rule 325*

In contemplating the new rules relating the entry of satisfaction, the Committee reviewed the entire 300 Series, particularly Rules 322, 323 and 324, all relating to judgments. Upon review of Rule 325, relating to practices prohibited, the Committee determined that the content of the rule relates not only to civil actions, but to actions for the recovery of possession of real property (landlord/tenant actions) as well. Accordingly, the Committee determined that Rule 325 should be moved out of the 300 Series (relating to Civil Action), and into the 200 series (relating to Rules of Construction; General Provisions), and further, that it be renumbered as new Rule 210.

#### 2. *New Rule 211*

In further contemplating the new rules, the Committee recognized that it needed to make provision for the filing of a request for entry of satisfaction when the office of the district justice who rendered the judgment has been abolished, consolidated or otherwise changed by reestablishment (redistricting) of magisterial districts. This situation is currently provided for in Rule 402 as it relates to requesting an order of execution. The Committee determined that this situation could arise in a number of circumstances and decided to propose a general rule in the 200 Series to deal with the situation. Accordingly, the Committee proposes a new Rule 211 entitled "Abolished, Consolidated, or Changed Magisterial Districts; Subsequent Filings." This new rule is intended to cover all situations in which a party wishes to file or serve an ancillary or supplemental action, such as a request for order of execution or a request for a certified copy of a judgment (under Rule 402), an objection to levy or other property claim (under Rule 413), a request for order of possession (under Rule 515), or a request for entry of

satisfaction (under Rule 341), among others, when the action should be filed or served in the office of the district justice who rendered the judgment or issued other process, but that office has been abolished, consolidated or otherwise changed. The proposed rule provides that, under these circumstances, the action may be filed or served only with the district justice who has become the official custodian of the original record, even though that district justice did not render the judgment.

Of course, as a corollary to this proposal, the Committee proposes that Rule 402(C)(1) be deleted because it becomes unnecessary with the addition of new Rule 211.

#### 3. *Other Technical or "Housekeeping" Changes*

Also, in Rules 315, 402, and 1007, the Committee proposes minor changes to correct citation form, to address gender neutrality issues in the rules, to conform to modern drafting style, and to make other minor corrections and clarifications.

[Pa.B. Doc. No. 01-1486. Filed for public inspection August 17, 2001, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Disbarment

Notice is hereby given that David Christian Wise having been disbarred from the practice of law in the State of Missouri by Order dated March 9, 2001, the Supreme Court of Pennsylvania issued an Order on August 2, 2001, disbaring David Christian Wise from the practice of law in this Commonwealth. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,  
*Executive Director and Secretary  
The Disciplinary Board of the  
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 01-1487. Filed for public inspection August 17, 2001, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 55—PUBLIC WELFARE

### DEPARTMENT OF PUBLIC WELFARE

[55 PA. CODE CH. 3800]

#### Notice of Delay of the Implementation Date of §§ 3800.187 and 3800.188 Relating to Administration and Medications Administration Training

The Department of Public Welfare (Department) is announcing its intent to delay the implementation date of §§ 3800.187 and 3800.188 in Chapter 3800 (relating to child residential and day treatment facilities) regarding medications administration training of nonmedical staff persons.

Under Chapter 3800, §§ 3800.187 and 3800.188 were scheduled to take effect June 26, 2000 (29 Pa.B. 3295). The Department previously published a notice of delay of the implementation date on July 28, 2000, extending the implementation date to July 1, 2001 (30 Pa.B. 3794). The Department hereby extends the implementation date until January 2, 2002. This extension is necessary to give training providers sufficient opportunity to develop a program that will fully comply with the Statement of Policy as specified in the Office of Children, Youth and Families' Bulletin # 3800-99-01, issued December 31, 1999, § 3800.188a (relating to medications administration training) or superseding policy statement relating to medications administration training. The extension will also provide time for training providers to effectively implement the approved Medication Administration Training program.

All other aspects of Chapter 3800 remain the same.

FEATHER O. HOUSTON,  
Secretary

**Fiscal Note:** 14-NOT-299. No fiscal Impact; (3) recommends adoption. This action may increase per diem rates paid by the Commonwealth.

[Pa.B. Doc. No. 01-1488. Filed for public inspection August 17, 2001, 9:00 a.m.]

## Title 58—RECREATION

### GAME COMMISSION

[58 PA. CODE CH. 139]

#### Corrective Amendment to 58 Pa. Code § 139.2

The Game Commission has discovered a discrepancy between the agency text of 58 Pa. Code § 139.2 (relating to definitions) as deposited with the Legislative Reference Bureau and the official text published at 30 Pa.B. 2366, 2367 (May 13, 2000) and as currently appearing in the *Pennsylvania Code*. The definition of "field possession limit" was inadvertently omitted.

Therefore, under 45 Pa.C.S. § 901: The Game Commission has deposited with the Legislative Reference Bureau a corrective amendment to 58 Pa. Code § 139.2. The corrective amendment to 58 Pa. Code § 139.2 is effective as of May 13, 2000, the date the amendment appeared in the *Pennsylvania Bulletin*.

The correct version of 58 Pa. Code § 139.2 appears in Annex A.

### Annex A

#### TITLE 58. RECREATION

##### PART III. GAME COMMISSION

##### CHAPTER 139. SEASONS AND BAG LIMITS

#### § 139.2. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

*Antlered deer*—A deer having two or more points to one antler, or with one antler 3 inches or more in length.

*Antlered elk*—An elk having at least one spike visible above the hairline.

*Antlerless deer*—A deer without antlers, or a deer with antlers both of which are less than 3 inches in length.

*Antlerless elk*—An elk without antlers, or an elk with no visible spike above the hairline.

*Client*—Any person who receives the services of a guide.

*Closed season*—Periods of the calendar year and hours during which it is unlawful to take game or wildlife.

*Daily limit*—The maximum number permitted to be taken by one person in 1 day during the open season.

*Early small game hunting season*—A designated period when only squirrels and grouse may be hunted and taken.

*Field possession limit*—The maximum number of legally taken wildlife of a species which a person may legally possess or transport between the place of taking and the person's permanent place of residence.

*Field possession limit—deer*—When multiple harvests of deer per day are authorized, only one deer at a time may be harvested. Before harvesting additional deer, the deer previously harvested shall be lawfully tagged.

*Guide*—Any person who assists another person to hunt or take game by locating game, calling game or directing another to game.

*Hunting hours*—The period each day of the open season, Sundays excepted, when game and wildlife may be lawfully taken.

*Regular small game hunting season*—The designated period of time when resident small game species may be hunted and taken.

*Season limit*—The maximum number of wildlife which may be taken during a designated open season or license year.

[Pa.B. Doc. No. 01-1489. Filed for public inspection August 17, 2001, 9:00 a.m.]

### GAME COMMISSION

[58 PA. CODE CHS. 139 AND 141]

#### Deer Hunting

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its June 12, 2001, meeting, adopted the following changes:

Amend § 139.2 (relating to definitions) to define regular and special firearms deer seasons.

Amend § 141.43 (relating to deer) to allow the special firearms hunters the opportunity to cooperate with the early muzzleloader and archery hunters while hunting deer.

These amendments are adopted under the authority of 34 Pa.C.S. (relating to the Game and Wildlife Code) (code).

*Amendment to § 139.2*

1. *Introduction*

To more effectively manage the wildlife resources of this Commonwealth, the Commission, at its April 10, 2001, meeting proposed, and at its June 12, 2001, meeting adopted, changing § 139.2 to add definitions of "regular firearms deer season" and "special firearms deer season." Both terms are currently used in the code without being defined. These changes were adopted under the authority contained in sections 322(c)(1) and 2102(b)(1) of the code (relating to powers and duties of commission; and regulations).

2. *Purpose and Authority*

In the course of establishing various deer seasons, the Commission has used the terms "regular firearms deer season" and "special firearms deer season." Neither of these terms is currently defined in the code. The adopted changes will remedy these deficiencies.

Both of the new terms will be used to fix and regulate deer seasons. Section 322(c) of the code specifically empowers the Commission to ". . . fix seasons . . . and daily, season and possession limits for any species of game or wildlife." Section 2102(b) of the code mandates that the Commission promulgate regulations relating to seasons and bag limits. These sections provide authority for the adopted additions.

3. *Regulatory Requirements*

No new regulatory requirements will be added by the adopted changes.

4. *Persons Affected*

Individuals wishing to hunt deer will be affected by the adopted changes.

*Amendment to § 141.43*

1. *Introduction*

To more effectively manage the deer population in this Commonwealth, the Commission has established some special firearms deer seasons prior to the regular seasons. Section 141.43(e) currently allows holders of appropriate licenses or stamps to cooperate with hunters using other firearms during seasons that run concurrently. Therefore, at its meeting held on April 10, 2001, the Commission proposed, and at its meeting held on June 12, 2001, the Commission adopted, changing § 141.43(e) to allow holders of appropriate licenses and permits to cooperate during the special firearms seasons where they run concurrently with the specified seasons. These changes were adopted under authority contained in sections 322(c)(6) and 2102(a) of the code.

2. *Purpose and Authority*

As was indicated in the introduction, § 141.43(e) currently allows archery, flintlock muzzleloader and muzzleloader deer hunters to cooperate when their seasons run concurrently. The adopted change adds to this list special firearms season deer hunters.

Section 322(c)(6) of the code directs the Commission to: "Limit the number of hunters or furtakers in any designated area and prescribe the lawful methods of hunting or taking furbearers in these areas." Section 2102(a) of the code provides that: "The commission shall promulgate such regulations as it deems necessary and appropriate concerning . . . methods and means of hunting or furtaking . . ." These provisions provide the authority for the adopted changes.

3. *Regulatory Requirements*

No additional regulatory requirements will be imposed as a result of the adopted changes. In fact, the adopted changes will relax a restriction.

4. *Persons Affected*

Persons wishing to cooperate to hunt deer during special firearms seasons may be affected by the adopted changes.

*Comment and Response Summary*

No official comments were received regarding these adopted changes.

*Cost and Paperwork Requirements*

The adopted changes would not result in any additional cost or paperwork.

*Effective Date*

The adopted changes will be effective on final publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

*Contact Person*

For further information regarding these changes, contact David E. Overcash, Director, Bureau of Law Enforcement, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

*Findings*

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

*Order*

The Commission, acting under authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapters 139 and 141, are amended by amending §§ 139.2 and 141.43 to read as set forth at 31 Pa.B. 2931 (June 9, 2001).

(b) The Executive Director of the Commission shall submit this order and 31 Pa.B. 2931, to the Legislative Reference Bureau as required by law.

(c) This order is effective upon final publication in the *Pennsylvania Bulletin*.

VERNON R. ROSS,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-131 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 01-1490. Filed for public inspection August 17, 2001, 9:00 a.m.]

# PROPOSED RULEMAKING

## ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CHS. 86—88 AND 90]  
Coal Mine Permits/Road Requirements

The Environmental Quality Board (Board) proposes to amend Chapters 86—88 and 90 to read as set forth in Annex A. The proposed amendments address criteria for approval/denial of coal mine permits and performance standards concerning roads used in conjunction with coal surface mines and coal refuse disposal operations.

This proposal was adopted by the Board at its meeting of July 17, 2001.

### A. Effective Date

These proposed amendments will go into effect upon publication in the *Pennsylvania Bulletin* as a final-form rulemaking.

### B. Contact Persons

For further information contact J. Scott Roberts, Director, Bureau of Mining and Reclamation, P. O. Box 8461, Rachel Carson State Office Building, Harrisburg, PA 17105-8461, (717) 787-5103; or Bo Reiley, Assistant Counsel, Bureau of Regulatory Counsel, P. O. Box 8464, Rachel Carson State Office Building, Harrisburg, PA 17105-8464, (717) 787-7060. Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). These proposed amendments are available electronically through the Department of Environmental Protection's (Department) website (<http://www.dep.state.pa.us>).

### C. Statutory Authority

The amendments are proposed under the authority of section 4.2 of the Surface Mining Conservation and Reclamation Act (52 P. S. § 1396.4b(a)); section 3.2 of the Coal Refuse Disposal Control Act (52 P. S. § 30.53b); and section 1920-A of The Administrative Code of 1929 (71 P. S. § 510-20).

### D. Background and Purpose

This proposed rulemaking amends existing provisions relating to criteria for approval/denial of coal mine permits and performance standards concerning haul roads and access roads used in conjunction with coal surface mines and coal refuse disposal operations. Approximately 600 operators of anthracite and bituminous surface mines and coal refuse disposal operations will be affected by these proposed amendments. This proposed rulemaking is necessary to clarify the existing regulations and to make the regulations consistent with Federal regulations.

During the surface coal mining permit application approval process under § 86.37 (relating to criteria for permit approval or denial), it was established practice for a mining permit applicant to submit a permit application that included a mining plan for the entire permit area. Any necessary waiver approvals related to distance limitations (such as waiver for mining activities within 300 feet of an occupied dwelling) were typically included in the mining plan for the initial bonding increment. The mining permit applicant would provide bonding to cover

the initial increment of mining, and the Department, in issuing the mining permit, authorized mining activities only for that initial increment. When the permittee provided bonding for subsequent increments to be mined and obtained the necessary waiver approvals for that increment, the Department authorized mining activities for that specific increment.

The Environmental Hearing Board (EHB) in *Peter Blose vs. DEP and Seven Sisters Mining Company, Inc.* (No. 98-034-R) (March 7, 2000) (*Blose*) held that this established practice was contrary to § 86.37(a)(2), and that the Department may not approve a permit if any coal mining activities are proposed within 300 feet of an occupied dwelling located on the entire permit area if the waiver for allowing mining activities had not been obtained.

The proposed amendment to § 86.37(a)(5) would allow the Department to continue to review and approve mining permits following those procedures in place prior to the EHB's decision in *Blose*. These procedures, while still fully protective of occupied dwellings, have the additional benefits of ensuring that both the amount of bond calculated to ensure proper reclamation of the site and all erosion and sedimentation plans are as current as possible.

Sections 87.160(a), 88.138(a), 88.231(a), 88.335(a) and 90.134(a) are proposed for change by deleting the requirement for a road maintenance plan for roads to be retained (upon completion of the mining and reclamation activities) as part of the postmining land use. This requirement for a road maintenance plan is proposed for deletion because it is more stringent than the corresponding Federal requirements. In addition, since the landowner has agreed to the retention of the road as a postmining land use and will be responsible for its maintenance, the Department has never required a maintenance plan after the completion of mining and reclamation activities. Therefore, the Board also proposes to delete this requirement because it is unnecessary.

Section 90.134(a) (relating to haul roads and access roads: general) is also proposed for change to include a requirement that haul roads and access roads used in conjunction with coal refuse disposal activities must be designed, constructed and maintained to control or prevent erosion. This amendment is proposed to address a condition placed on the Commonwealth's approved coal mining regulatory program by the Federal Office of Surface Mining. The proposed amendment makes this specific requirement consistent with the requirements for other coal mining operations.

These proposed amendments were reviewed and discussed with the Mining and Reclamation Advisory Board (MRAB), the Department's advisory body for regulations pertaining to the surface mining of coal. A draft of the proposed rulemaking was reviewed and discussed with the MRAB at its meeting on April 26, 2001. The MRAB supports the proposed rulemaking.

### E. Summary of Regulatory Requirements

The following sections are proposed for change along with a description of the specific change.

*§ 86.37. Criteria for permit approval or denial.*

Section 86.37(a)(5) is being amended to require that areas within the proposed permit area that are proposed for surface mining activities and are covered by the operator's bond, must include the appropriate approvals/waivers for mining activities proposed within barrier areas. Currently, these approvals/waivers must be provided for all areas within the proposed permit area.

*§§ 87.160, 88.138, 88.231, 88.335 and 90.134. Haul roads and access roads.*

The Board proposes to amend §§ 87.160(a), 88.138(a), 88.231(a), 88.335(a) and 90.134(a) by deleting the requirements for a road maintenance plan for roads to be retained (upon completion of the mining and reclamation activities) as part of the postmining land use. These requirements for a road maintenance plan are not found in the Federal counterpart to these sections (30 CFR 816.150). Since the landowner has agreed to the retention of the road as a postmining land use and will be responsible for its maintenance, the Department has never required a maintenance plan after completion of mining and reclamation activities. Therefore, the Board proposes these amendments because the requirements are unnecessary.

Section 90.134(a) is also proposed for change to include a requirement that haul roads and access roads used in conjunction with coal refuse disposal activities must be designed, constructed and maintained to control or prevent erosion. This amendment is proposed to address a recent condition placed on the Commonwealth's approved coal mining regulatory program by the Federal Office of Surface Mining. This amendment will make § 90.134(a) consistent with the requirements for other coal mining operations and the counterpart Federal regulations (30 CFR 816.150(b)(1)).

*F. Benefits, Costs and Compliance*

Executive Order 1996-1 requires a cost/benefit analysis of the proposed amendments.

*Benefits*

The coal mining industry and the Department will benefit from these amendments. In the case of proposed amendments to § 86.37, a permit applicant would benefit by avoiding the costs to prepare and publicize a permit revision should the specific types of activities proposed in barrier areas after permit issuance require public notice. The cost savings for that would not be easily quantifiable because of the inability to estimate or predict with much degree of accuracy the number of proposals that would be submitted that require public notice. In the case of proposed changes to §§ 87.160, 88.138, 88.231, 88.335 and 90.134, a permittee would benefit by reduction in costs of preparing maintenance plans for mining roads to be retained (upon completion of the mining and reclamation activities) as part of the postmining land use. The Department will benefit by reduction in the amount of staff time needed to review the plans. The estimated cost savings related to deleting the requirement for road maintenance plans is \$47,750 annually for the industry and \$19,100 annually for the Department.

*Compliance Costs*

The proposed amendments will impose no additional compliance costs on the regulated community.

*Compliance Assistance Plan*

The Department will provide written notification of the amendments to the coal mining industry.

*G. Pollution Prevention*

The proposed rulemaking will not modify the pollution prevention approach by the regulated community and maintains the multimedia pollution prevention approach of existing requirements in Chapters 86—88 and 90.

*H. Sunset Review*

These amendments will be reviewed in accordance with the sunset review schedule published by the Department to determine whether the amendments effectively fulfill the goals for which they were intended.

*I. Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on August 8, 2001, the Department submitted a copy of the proposed amendments to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the Senate and House Environmental Resources and Energy Committees. In addition to submitting the proposed amendments, the Department has provided IRRC and the Committees with a copy of a detailed Regulatory Analysis Form prepared by the Department in compliance with Executive Order 1996-1, "Regulatory Review and Promulgation." A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, if IRRC has objections to any portion of the proposed amendments, it will notify the Department within 10 days of the close of the Committees' review period. The notification shall specify the regulatory review criteria that have not been met by that portion. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the amendments, by the Department, the Governor and the General Assembly.

*J. Public Comments*

*Written Comments*—Interested persons are invited to submit comments, suggestions or objections regarding the proposed amendments to the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477 (express mail: Rachel Carson State Office Building, 15th Floor, 400 Market Street, Harrisburg, PA 17101-2301). Comments submitted by facsimile will not be accepted. Comments, suggestions or objections must be received by the Board by September 17, 2001. Interested persons may also submit a summary of their comments to the Board. The summary may not exceed one page in length and must also be received by September 17, 2001. The one-page summary will be provided to each member of the Board in the agenda packet distributed prior to the meeting at which the final-form rulemaking will be considered.

*Electronic Comments*—Comments may be submitted electronically to the Board at RegComments@state.pa.us and must also be received by the Board by September 18, 2001. A subject heading of the proposal and a return name and address must be included in each transmission. If an acknowledgement of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt.

DAVID E. HESS,  
Chairperson

**Fiscal Note:** 7-367. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 25. ENVIRONMENTAL PROTECTION

PART I. ENVIRONMENTAL PROTECTION

Subpart C. PROTECTION OF NATURAL RESOURCES

ARTICLE I. LAND RESOURCES

CHAPTER 86. SURFACE AND UNDERGROUND COAL MINING: GENERAL

Subchapter B. PERMITS

REVIEW, PUBLIC PARTICIPATION AND APPROVAL, DISAPPROVAL OF PERMIT APPLICATIONS AND PERMIT TERMS AND CONDITIONS

§ 86.37. Criteria for permit approval or denial.

(a) A permit or revised permit application will not be approved unless the application affirmatively demonstrates and the Department finds, in writing, on the basis of the information in the application or from information otherwise available, which is documented in the approval, and made available to the applicant, that the following apply:

\* \* \* \* \*

(5) [ The proposed permit area ] The area covered by the operator's bond and upon which the operator proposes to conduct surface mining activities within the boundary of the proposed surface or coal mining activities permit is not one of the following:

(i) Included within an area designated unsuitable for mining under Subchapter D (relating to areas unsuitable for mining).

(ii) Within an area which has been included in a petition for designation under § 86.124(a)(6) (relating to procedures: initial processing, recordkeeping and notification requirements).

(iii) On lands subject to the prohibitions or limitations of Subchapter D.

(iv) Within 100 feet (30.48 meters) of the outside right-of-way line of any public road, except as provided for in Subchapter D.

(v) Within 300 feet (91.44 meters) from any occupied dwelling, except as provided for in Subchapter D.

(vi) Within 100 feet (30.48 meters) of a stream, except as provided for in § 86.102 (relating to areas where mining is prohibited or limited).

\* \* \* \* \*

CHAPTER 87. SURFACE MINING OF COAL

Subchapter E. SURFACE COAL MINES: MINIMUM ENVIRONMENTAL PROTECTION PERFORMANCE STANDARDS

§ 87.160. Haul roads and access roads.

(a) Haul roads and access roads shall be designed, constructed and maintained to control or prevent erosion and contributions of sediment to streams or runoff outside the affected area; air and water pollution; damage to fish and wildlife or their habitat; [ and ] flooding; and damage to public or private property. To ensure environmental protection appropriate for their planned duration and use, including consideration of the type and size of equipment used, the design and construction or recon-

struction of roads shall incorporate appropriate limits for grade, width, surface materials, surface drainage control, culvert placement and culvert size, in accordance with current, prudent engineering practices and necessary design criteria established by the Department. Upon completion of the associated surface mining activities, the area disturbed by the road shall be restored in accordance with § 87.166 (relating to haul roads and access roads: restoration) unless retention of the road [ and its maintenance plan ] is approved as part of the postmining land use.

\* \* \* \* \*

CHAPTER 88. ANTHRACITE COAL

Subchapter B. SURFACE ANTHRACITE COAL MINES: MINIMUM ENVIRONMENTAL PROTECTION PERFORMANCE STANDARDS

§ 88.138. Haul roads and access roads: general.

(a) Haul roads and access roads shall be designed, constructed and maintained to control or prevent erosion and contributions of sediment to streams or runoff outside the affected area; air and water pollution; damage to fish and wildlife or their habitat; flooding; and damage to public or private property. Upon completion of the associated surface mining activities, the area disturbed by the road shall be restored in accordance with § 88.144 (relating to haul roads and access roads: restoration) unless retention of the road [ and its maintenance plan ] is approved as part of the postmining land use.

\* \* \* \* \*

Subchapter C. ANTHRACITE BANK REMOVAL AND RECLAMATION: MINIMUM ENVIRONMENTAL PROTECTION PERFORMANCE STANDARDS

§ 88.231. Haul roads and access roads: general.

(a) Haul roads and access roads shall be designed, constructed and maintained to control or prevent erosion and contributions of sediment to streams or runoff outside the affected area; air and water pollution; damage to fish and wildlife or their habitat; flooding; and damage to public or private property. Upon completion of the associated surface mining activities, the area disturbed by the road shall be restored in accordance with § 88.237 (relating to haul roads and access roads: restoration) unless retention of the road [ and its maintenance plan ] is approved as part of the postmining land use.

\* \* \* \* \*

Subchapter D. ANTHRACITE REFUSE DISPOSAL: MINIMUM ENVIRONMENTAL PROTECTION PERFORMANCE STANDARDS

§ 88.335. Haul roads and access roads: general.

(a) Haul roads and access roads shall be designed, constructed and maintained to control or prevent erosion and contributions of sediment to streams or runoff outside the affected area; air and water pollution; damage to fish and wildlife or their habitat; flooding; and damage to public or private property. Upon completion of the associated surface mining activities, the area disturbed by the road shall be restored in accordance with § 88.341 (relating to haul roads and access roads: restoration) unless retention of the road [ and its maintenance plan ] is approved as part of the postmining land use.

\* \* \* \* \*

**CHAPTER 90. COAL REFUSE DISPOSAL**

**Subchapter D. PERFORMANCE STANDARD FOR COAL REFUSE DISPOSAL**

**§ 90.134. Haul roads and access roads: general.**

(a) Haul roads and access roads shall be designed, constructed and maintained to control or prevent: **erosion and** contributions of sediment to streams or runoff outside the affected area; flooding; air and water pollution; damage to fish and wildlife or their habitat; and damage to public or private property. To ensure environmental protection appropriate for their planned duration and use, including consideration of the type and size of equipment used, the design and construction or reconstruction of roads shall incorporate appropriate limits for

grade, width, surface materials, surface drainage control, culvert placement and culvert size, in accordance with current, prudent engineering practices, and necessary design criteria established by the Department. Upon completion of the associated surface mining activities, the area disturbed by the road shall be restored in accordance with § 90.140 (relating to haul roads and access roads: restoration), unless retention of the road **[ and its maintenance plan are ]** is approved as part of the postmining land use.

\* \* \* \* \*

[Pa.B. Doc. No. 01-1491. Filed for public inspection August 17, 2001, 9:00 a.m.]

\_\_\_\_\_



# STATEMENTS OF POLICY

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

#### Reorganization of the Department of Education

The Executive Board approved a reorganization of the Department of Education effective August 7, 2001.

The organization chart at 31 Pa.B. 4543 (August 18, 2001) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of Code).

*(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) as a document general and permanent in nature which shall be codified in the *Pennsylvania Code*.)*

[Pa.B. Doc. No. 01-1492. Filed for public inspection August 17, 2001, 9:00 a.m.]

---

### PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

#### Reorganization of the Department of Labor and Industry

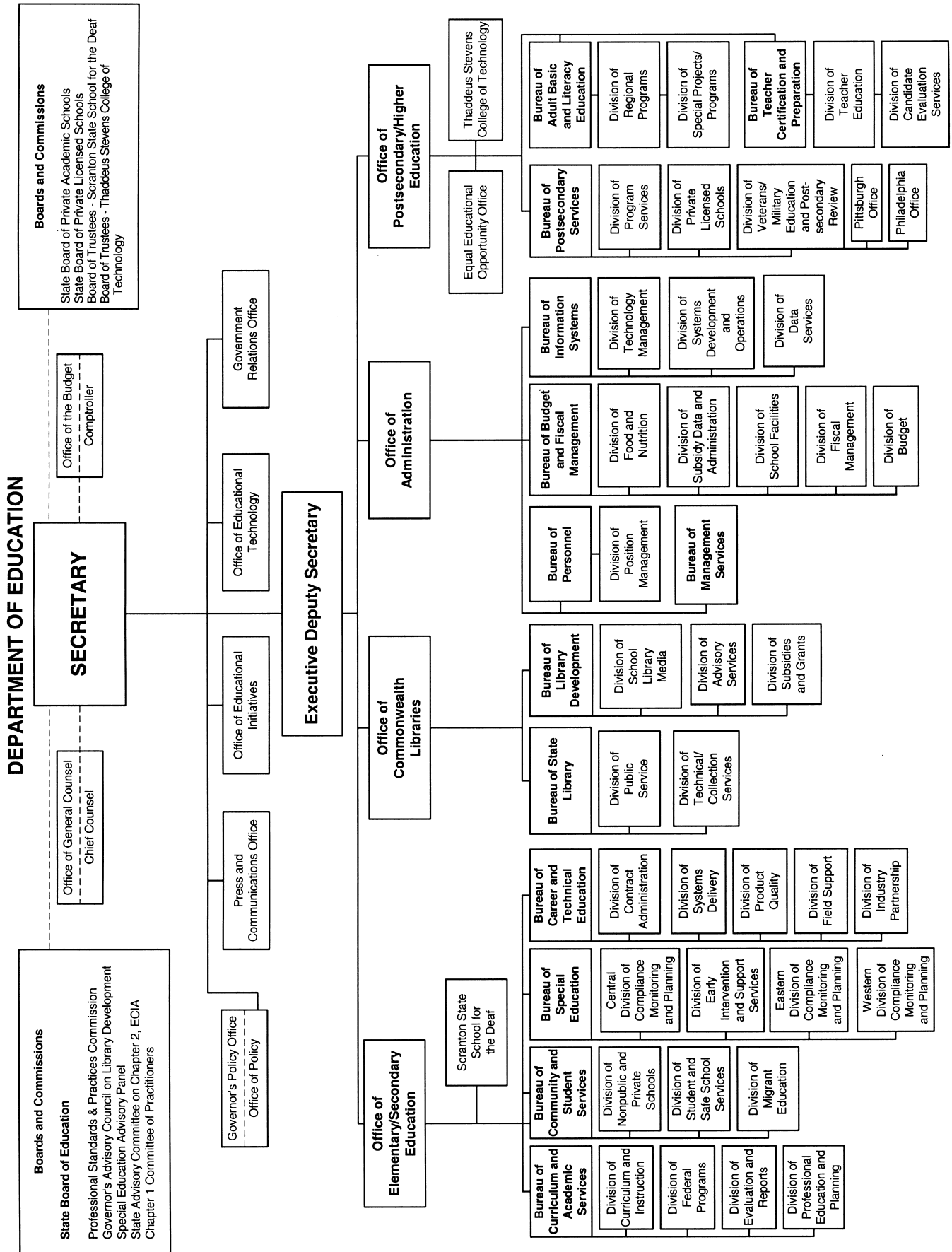
The Executive Board approved a reorganization of the Department of Labor and Industry effective August 7, 2001.

The organization chart at 31 Pa.B. 4544 (August 18, 2001) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of Code).

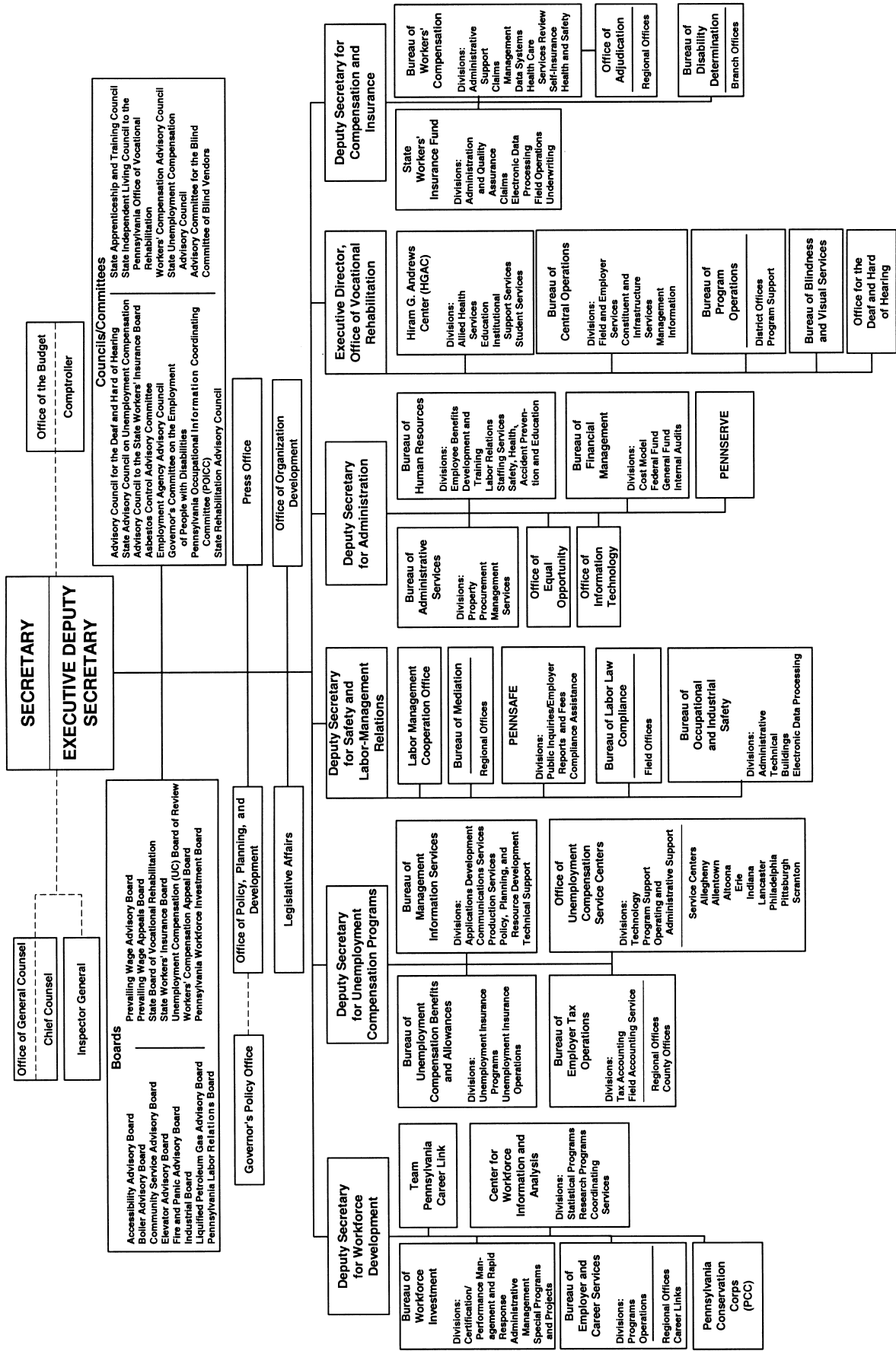
*(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) as a document general and permanent in nature which shall be codified in the *Pennsylvania Code*.)*

[Pa.B. Doc. No. 01-1493. Filed for public inspection August 17, 2001, 9:00 a.m.]

---



DEPARTMENT OF LABOR AND INDUSTRY



# NOTICES

## DEPARTMENT OF AGRICULTURE

### Dog Control Facility Bill Reimbursement Grant Program

The Department of Agriculture (Department) gives notice of the guidelines and conditions under which it will award up to \$175,000 in grants under its Year 2002 Dog Control Facility Bill Reimbursement Program (Program). The Program will award bill reimbursement grants of up to \$7,500-per-recipient to humane societies or associations for the prevention of cruelty to animals that meet the guidelines and conditions of this Program. The Program will be funded from the Dog Law Restricted Account, from funds which are surplus funds for the limited purposes set forth in the Dog Law (3 P. S. § 459-1002(b)).

A proposed version of these guidelines and conditions was published at 31 Pa.B. 3416 (June 30, 2001). The Department invited public and legislative review of these proposed guidelines and conditions, in accordance with the regulation at 7 Pa. Code § 23.4 (relating to guidelines and conditions). A single comment was received. The President of the Federated Humane Societies of Pennsylvania recommended that the total maximum amount available for grants under the Program be raised from \$100,000 to \$175,000. This recommendation was based on the assumption there will be more applicants for funds under this year's Program due to the revision of eligibility criteria for applicants. The criteria were revised to allow a humane society or association for the prevention of cruelty to animals that has an operating budget of \$250,000 or less to apply, whereas in prior years this operating budget cap was \$150,000. The Department accepts the commentator's recommendation, and has revised these guidelines and conditions accordingly.

The Department invites applications for grants under the Program, in accordance with the final guidelines and conditions that follow.

### Guidelines and Conditions for the Year 2002 Dog Control Facility Bill Reimbursement Grant Program

#### 1. Definitions.

The following words and terms, when used in these guidelines and conditions, have the following meanings:

*Department*—The Department of Agriculture.

*Dog control*—The apprehending, holding and disposing of stray or unwanted dogs, or as otherwise defined in the Dog Law (3 P. S. § 459-102).

*Eligible Bill*—A document seeking payment for materials, services or utilities from a grant recipient, setting forth the following:

- i. The date the document is issued.
- ii. The name and address of the humane society or association for the prevention of cruelty to animals to which the bill is issued.
- iii. If for materials, a description of the materials and the date of delivery.
- iv. If for services, a description of the nature of the services and the dates upon which the services were rendered.

- v. If for utilities (such as electricity, water, sewer, waste disposal and similar purposes), a statement of the period for which the utility, for which payment is sought, was provided.

- vi. The name, address and telephone number of the entity issuing the document.

*Humane society or association for the prevention of cruelty to animals*—A nonprofit society or association duly incorporated under 15 Pa.C.S. Ch. 53 Subch. A (relating to incorporation generally) for the purpose of prevention of cruelty to animals, or as otherwise defined in the Dog Law (3 P. S. § 459-102).

*Program*—The Year 2002 Dog Control Facility Bill Reimbursement Program.

#### 2. Eligibility.

A humane society or association for the prevention of cruelty to animals is eligible to apply to receive a grant under the Program if that humane society or association for the prevention of cruelty to animals:

- a. Has been in operation for at least 1 year immediately preceding the application date.
- b. Has performed dog control functions for at least 1 year immediately preceding the application date.
- c. Has, in the performance of its dog control functions, accepted at least 100 stray or unwanted dogs into its facility within the year immediately preceding the application date.
- d. Is not a party to a contract with the Department under which the Department pays that humane society or association for the prevention of cruelty to animals for dog control activities performed in the year 2002.
- e. Agrees—as a condition of receiving any grant money under the Program—to continue to perform dog control activities through the year 2002.
- f. Has a total operating budget of \$250,000 or less for the 2002 calendar year or, if its budget is on a basis other than calendar year, has a total operating budget of \$250,000 or less for each fiscal year comprising any portion of calendar year 2002.

#### 3. Use of Grant Funds.

The Department will allocate a specific maximum grant amount to a successful grant applicant through a written grant agreement. This maximum grant amount will be specified in the grant agreement, and will not exceed \$7,500 with respect to any application. The maximum grant amount will be retained by the Department and used to reimburse the grant recipient for eligible bills the grant recipient has paid with respect to materials, services or utilities provided to the grant recipient from January 1, 2002, through December 31, 2002. The total reimbursement the Department will pay a grant recipient will not exceed the maximum grant amount. Any money remaining in a grant allocation beyond the termination date of the grant agreement will lapse into the Dog Law Restricted Account. If a bill covers materials, services or utilities provided, in whole or in part, before January 1, 2002, or after December 31, 2002, that bill is not an eligible bill and will not be reimbursed by the Department under the Program.

#### 4. Application Process.

- a. *Application required.* A humane society or association for the prevention of cruelty to animals seeking a

grant under the Program must complete a written application form and deliver it to the Department no later than 30 days from the date this notice is published in the *Pennsylvania Bulletin*. Applications received by the Department beyond that date will not be considered.

b. *Obtaining an application form.* The Department will provide grant application forms upon request. Requests for application forms should be directed to Richard Hess, Director, Bureau of Dog Law Enforcement, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408 (717) 787-4833, fax: (717) 772-4352.

c. *Contents of grant application form.* A grant application form shall require the following information:

- i. The name and address of the applicant.
- ii. Information to verify that the applicant is a humane society or association for the prevention of cruelty to animals and otherwise meets the eligibility requirements set forth in paragraph 2.
- iii. The maximum grant amount sought by the applicant—not to exceed \$7,500.
- iv. A description of the eligible bills for which the grant applicant intends to seek reimbursement, including a description (and copies, if available) of bills received by the applicant in 2001 for the same type of materials, services or utilities for which reimbursement will be sought under the grant agreement.
- v. Other information as the Department might reasonably require.

#### 5. Review and approval of grant application.

a. *Review and notification.* The Department will review each timely grant application and provide the applicant written notification of whether the Department awards the grant, denies the grant or awards a grant in some amount less than the applicant sought. This written notification will be mailed no later than 60 days from the date this notice is published in the *Pennsylvania Bulletin*, to the address provided by the applicant on the grant application form. If an application is incomplete or the Department requires additional information or documentation in order to evaluate the grant request, it will so advise the applicant.

b. *Review criteria.* The Department will consider the following, among other factors, in determining whether to award a grant application:

- i. The number of applications received and the availability of funds for the grants sought.
- ii. The relative contribution of the applicant to dog control activities in the area it serves.
- iii. The relative contribution of the applicant to dog control as compared to the relative contribution of other applicants.

iv. The relative importance of the grant to the continued operation of the applicant's dog control facility.

v. The expense or logistical difficulty the Department would encounter if the applicant's dog control facility was no longer in operation.

#### 6. Grant agreement.

a. *Grant agreement required.* A successful grant applicant must execute a grant agreement with the Department, setting forth the terms and conditions under which the grant money will be used by the Department to reimburse the grant recipient for payment of eligible bills.

b. *Reimbursement requests.* The grant agreement will set forth the exact procedure by which a grant recipient shall seek reimbursement from the Department for payment of eligible bills. The basic reimbursement request procedure will be as follows:

*By May 15, 2002,* the grant recipient will: (1) deliver copies of the eligible bills it has paid between January 1 and April 30, 2002; (2) verify that these bills have been paid and are eligible for reimbursement; and (3) provide a detailed report of the dog control activities performed by the successful applicant during the referenced 4-month period.

*By September 15, 2002,* the grant recipient will: (1) deliver copies of the eligible bills it has paid between May 1 and August 31, 2002; (2) verify that these bills have been paid and are eligible for reimbursement; and (3) provide a detailed report of the dog control activities performed by the successful applicant during the referenced 4-month period.

*By January 15, 2003,* the grant recipient will: (1) deliver copies of the eligible bills it has paid between September 1 and December 31, 2002; (2) verify that these bills have been paid and are eligible for reimbursement; and (3) provide a detailed report of the dog control activities performed by the successful applicant during the referenced 4-month period.

c. *Payment by the Department.* The Department will reimburse a grant recipient for eligible bills within 60 days of receiving a complete and timely reimbursement request.

d. *Termination.* The Department may terminate a grant agreement at any time by providing the grant recipient written notice of termination at the address set forth on the grant application.

SAMUEL E. HAYES, Jr.,  
Secretary

[Pa.B. Doc. No. 01-1494. Filed for public inspection August 17, 2001. 9:00 a.m.]

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending August 7, 2001.

**BANKING INSTITUTIONS**  
**Holding Company Acquisitions**

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
8-2-01	F.N.B. Corporation, Naples, Florida, to acquire 100% of the common stock of Promistar Financial Corporation, Johnstown Pennsylvania	Naples, FL	Filed

**New Charter Applications**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-31-01	Sageworth Trust Company Lancaster Lancaster County	160 N. Pointe Blvd. Lancaster Lancaster County	Approved

**Branch Applications**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-30-01	AmeriServ Financial Bank Johnstown Cambria County	231 State Street Harrisburg Dauphin County	Opened
8-2-01	FirstService Bank Doylestown Bucks County	Intersection of Routes 309 and 313 Hilltown Bucks County	Filed
8-6-01	AmeriServ Financial Bank Johnstown Cambria County	5 Gateway Center Pittsburgh Allegheny County	Filed

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-7-01	Firsttrust Savings Bank Conshohocken Montgomery County	Cherry Tree Corporate Center 535 Route 38 East Cherry Hill Camden County New Jersey	Filed

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS**

No activity.

JAMES B. KAUFFMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1495. Filed for public inspection August 17, 2001, 9:00 a.m.]

## DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

### Educational Improvement Tax Credit Program

The Department of Community and Economic Development (Department) gives notice of the establishment of the Educational Improvement Tax Credit Program (Program) which authorizes the award of tax credits to businesses that make contributions to scholarship organizations or educational improvement organizations deter-

mined by the Department to meet the requirements of Act 4 of 2001. The current list of scholarship organizations and educational improvement organizations can be found on the Department's website at [www.inventpa.com](http://www.inventpa.com). Program guidelines, which establish the process whereby a scholarship organization or an educational improvement organization may be included on the list of organizations published by the Department, are available by contacting the Department's Economic Development Assistance Office or by accessing the Department's website.

Program inquiries and applications should be directed to the Educational Improvement Tax Credit Program, Economic Development Assistance Office, Department of Community and Economic Development, 4th Floor, Commonwealth Keystone Building, 400 North Street, Harris-

burg, PA 17120-0225, (717) 787-7120, e-mail: ra-dcededa@state.pa.us.

SAMUEL A. MCCULLOUGH,  
*Secretary*

[Pa.B. Doc. No. 01-1496. Filed for public inspection August 17, 2001, 9:00 a.m.]

### **Pennsylvania Housing Advisory Committee Meeting**

The Pennsylvania Housing Advisory Committee (Committee) will meet to advise the Department of Community and Economic Development (Department) regarding housing and related needs, priorities and goals to be delineated in the 2002 Action Plan which supplements the Commonwealth's Consolidated Plan for Federal fiscal years 2000—2004. Meetings of this Committee are open to the public under the Sunshine Act. The meeting will be held as follows:

September 4, 2001: Dixon University Center  
Conference Room C  
2986 North Second Street  
Harrisburg, PA 17110-1201  
10 a.m. to 1 p.m.

Anyone who has a disability and wishes to attend this meeting and requires an auxiliary aid, service or other accommodation to participate in the proceedings should contact Karen Overly Smith, 4th Floor Commonwealth Keystone Building, Harrisburg, PA 17120, (717) 214-5340. For anyone with a hearing disability, Test Telephone calls can be placed through the Pennsylvania Relay System at (800) 654-5984. Calls will be relayed to the Department's number.

SAMUEL A. MCCULLOUGH,  
*Secretary*

[Pa.B. Doc. No. 01-1497. Filed for public inspection August 17, 2001, 9:00 a.m.]

## **DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES**

### **Notice of Proposed Transfer of Lands from DCNR, Bureau of Forestry, to Department of Transportation**

The Department of Conservation and Natural Resources (DCNR), acting through the Bureau of Forestry, is preparing to transfer 3.663 acres of land in Lycoming County, Clinton Township, to the Department of Transportation (Department) via an Interdepartmental Agreement.

This transfer will enable the Department to exercise jurisdictional control for its existing stocking area located along the westerly side of U.S. Rt. 15 (the Montgomery Pike) on Bald Eagle Ridge.

As is the policy of DCNR, the public is hereby notified of this transfer. A 30-day period for public inquiry and/or comment will be in effect commencing August 20, 2001, and ending September 18, 2001. Oral or written comments or questions concerning this proposed transfer may be addressed to Dr. James R. Grace, State Forester, Bureau of Forestry, P. O. Box 8552, Harrisburg, PA 17105-8552, (717) 787-2703. These oral and/or written comments will become part of the official document used in the final decision process.

If, in the duration of the 30-day comment period, a significant amount of public concern develops, the Secretary of DCNR may schedule a public informational meeting.

JOHN C. OLIVER,  
*Secretary*

[Pa.B. Doc. No. 01-1498. Filed for public inspection August 17, 2001, 9:00 a.m.]

## **DEPARTMENT OF ENVIRONMENTAL PROTECTION**

### **Applications, Actions and Special Notices**

---

### **APPLICATIONS**

---

### **NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS**

### **NPDES APPLICATIONS**

### **PART I PERMITS**

Under the Federal Clean Water Act and The Clean Streams Law, the following parties have applied for an NPDES permit or to renew their current permit to discharge controlled wastewaters into the waters of this Commonwealth or to conduct other activities required by the NPDES permit. For renewal applications listed in Section I, the Department of Environmental Protection (Department) has made a tentative determination to reissue these permits for 5 years subject to effluent limitations and monitoring and reporting requirements in their current permits, with appropriate and necessary updated requirements to reflect new and changed regulations and other requirements. For all new permit applications, renewal application with major changes or applications for permits not waived by EPA, the Department, based upon preliminary reviews, also made a tentative determination of proposed effluent limitations and other terms and conditions for the permit applications listed in Section II. These determinations are published as proposed actions for comments prior to taking final actions.

Unless indicated otherwise, the EPA Region III Administrator has waived the right to review or object to this proposed permit action under the waiver provision 40 CFR 123.24(d).

Persons wishing to comment on the proposed permit are invited to submit a statement, to the office noted before the application within 30 days from the date of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding this application. The comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the responsible office considers the public response significant. Following the comment period, the Department's Water Management Program Manager will make a final determination regarding these applications. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The renewal application, including proposed effluent limitations and special conditions, is available on file. For new permit applications, information submitted with the applications is available on file. The information may be inspected and arrangements made for copying at the office indicated before the application.

Persons with a disability, who require an auxiliary aid service, including TDD users or other accommodations to seek additional information, should contact the Department through the Pennsylvania AT&T Relay service at (800) 654-5984.

### I. NPDES Renewal Applications

*Southeast Region: Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0056677	Caroline and Steven Marci 6768 Point Pleasant Pike New Hope, PA 18938	Bucks County Plumstead Township	UNT to Geddes Run	Renewal

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4707.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0080616	Rife Road Associates 20 Erford Rd. Suite 215 Lemoyne, PA 17043	Adams County Reading Township	Conewago Creek/7F	DEP—SCRO 909 Elmerton Ave. Harrisburg, PA 17110 (717) 705-4707
PA0044598	Susquehanna Regional Airport Authority 208 Airport Drive Middletown, PA 17057	Dauphin County Lower Swatara Township	Post Run/7C	DEP—SCRO 909 Elmerton Ave. Harrisburg, PA 17110 (717) 705-4707
PA0084581	New Holland Borough Authority 436 East Main Street New Holland, PA 17557	Lancaster County East Earl Township	UNT Mill Creek/7J	DEP—SCRO 909 Elmerton Ave Harrisburg, PA 17110 (717) 705-4707

*Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0114898 Sewerage Public	Madison Township Municipal Authority P. O. Box 620 Millville, PA 17846	Columbia Madison Township	Mud Creek 10D	Y
PA0114561	Herrick Township R. R. 3 Box 156 Wyalusing, PA 18853- 9558	Herrick Township Bradford County	Cold Creek 4-D	Yes

*Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**PA0034045**, Sewage. **Greene Township**, 9333 Tate Road, Erie, PA 16509-6049.

This proposed facility is located in Greene Township, **Erie County**.



Description of Proposed Activity: Treatment of sanitary waste from Horseshoe Subdivision.

The receiving stream, unnamed tributary to Four Mile Creek, is in watershed 15 (Lake Erie) and classified for: WWF; MF.

The proposed effluent limits for Outfall 001 based on a design flow of 0.012 MGD:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25		50
Total Suspended Solids	30		60
NH <sub>3</sub> -N			
(5-1 to 10-31)	5.5		11
(11-1 to 4-30)	16.5		33
Dissolved Oxygen		minimum of 3.0 mg/l at all times	
Phosphorus as "P"	1.0		
Total Residual Chlorine	0.5		1.17
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		33,000/100 ml as a geometric average	
pH		6.0 to 9.0 standard units at all times	

The EPA Waiver is in effect.

**PA0036056**, Sewage. **Heritage Hills Mobile Home Estates**, 100 Beechwood Boulevard, Pulaski, PA 16143.

This facility is located in Pulaski Township, **Lawrence County**.

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply (stream and Public Water Supplier) considered during the evaluation is the PA American Water Company intake on the Shenango River located at New Castle approximately 10 miles below point of discharge.

Description of Proposed Activity: renewal of sewage discharge.

The receiving stream, unnamed tributary to Shenango River, is in watershed 20A and classified for: warm water fishes, water supply and recreation.

The proposed effluent limits for Outfall 001 based on a design flow of 0.0375 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25		50
Total Suspended Solids	30		60
NH <sub>3</sub> -N			
(5-1 to 10-31)	2.0		4.0
(11-1 to 4-30)	6.0		12.0
Dissolved Oxygen		minimum of 5 mg/l at all times	
Total Residual Chlorine	0.2		0.5
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		2,000/100 ml as a geometric average	
pH		6.0 to 9.0 standard units at all times	

The EPA Waiver is in effect.

## II. Applications for New or Expanded Facility Permits, Renewal of Major Permits and EPA Pa. Code Waived Permit Applications.

*Southeast Region: Water Management Program Manager; Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

**No. PA0050431**, Industrial Waste, **Concord Beverage L.P.**, Conchester Road and Alden Avenue, Concordville, PA 19331-0626

This application is for renewal of an NPDES permit to discharge treated process wastewater from Concord Beverage Company, in Concordville Township, **Delaware County**. This is an existing discharge to unnamed tributary to West Branch Chester Creek.

The receiving stream is classified for the following uses: warm water fishery, cold water fishery, trout stocking fishery, high quality trout stocking fishery, high quality warm water fishery, high quality cold water fishery, exceptional value waters, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall monitoring point 101 (before plant expansion), based on an average flow of 24,000 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50	63
Total Suspended Solids	30	60	75
NH <sub>3</sub> -N			
(5-1 to 10-3)	2.0	4.0	5.0
(11-1 to 4-30)	6.0	12.0	15.0
Dissolved Oxygen	Minimum of 5.0 MG/L at all times		
pH	Within limits of 6.0—9.0 Standard Units at all times		

Dissolved Oxygen Minimum of 5.0 mg/l at all times

The proposed effluent limits for monitoring Point MP101 (after plant expansion), based on an average flow of 70,000 GPD are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50	63
Total Suspended Solids	30	60	75
NH <sub>3</sub> -N			
(5-1 to 10-31)	2.0	4.0	5.0
(11-1 to 4-30)	6.0	12.0	15.0
Dissolved Oxygen	Minimum of 5.0 mg/l at all times		
pH	Within limits of 6.0—9.0 Standard Units at all times		

The proposed effluent limits for Outfall 001, from IWTP and rinsewater.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Dissolved Solids	1,000	2,000	2,500
Oil & Grease	15		30
Temperature		87°F	
pH	Within limits of 6.0—9.0 Standard Units at all times		

Other Conditions:

The EPA Waiver is in effect.

Thermal Requirements.

**No. PA0020460**, Sewage, **Pennridge Wastewater Treatment Authority**, 180 Maple Avenue, P. O. Box 31, Sellersville, PA 18960-0031.

This application is for renewal of an NPDES permit to discharge treated sewage from a sewage treatment plant in West Rockhill Township, **Bucks County**. This is an existing discharge.

The receiving stream is classified for the following uses: trout stocking fishery, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001, based on an average flow of 4.0 million gallons per day from issuance through completion of plant expansion are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>			
(5-1 to 10-31)	20	30	40
(11-1 to 4-30)	25	40	50
Suspended Solids	30	45	60
Ammonia (as N)			
(5-1 to 10-31)	3.5		7.0
(11-1 to 4-30)	10.0		20.0
Phosphorus (as P)			
(4-1 to 10-31)	2.0	3.0	4.0
Total Residual Chlorine	0.5	1.6	
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	minimum of 5 mg/l at all times		
pH	Within limits of 6.0—9.0 Standard Units at all times		
Chlorodibromomethane	0.0024		0.006
Dichlorobromomethane	0.0033		0.0082
Chromium, Hexavalent	Monitor		Monitor
Cadmium, Total	Monitor		Monitor
Cyanide, Free	0.014		0.035
Copper, Total	Monitor		Monitor
Mercury, Total	0.00013		0.00033

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Silver, Total	Monitor		Monitor
Zinc, Total	Monitor		Monitor

The proposed effluent limits for Outfall 001, based on an average flow of 4.325 million gallon per day from completion of plant expansion through expiration are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>			
(5-1 to 10-31)	15	23	30
(11-1 to 4-30)	25	40	50
Suspended Solids	30	45	60
Ammonia (as N)			
(5-1 to 10-31)	3.0		6.0
(11-1 to 4-30)	9.0		18.0
Phosphorus (as P)			
(4-1 to 10-31)	2.0	3.0	4.0
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	minimum of 5 mg/l at all times		
pH	Within limits of 6.0—9.0 Standard Units at all times		
Chlorodibromomethane	0.0022		0.0055
Dichlorobromomethane	0.0031		0.0077
Chromium, Hexavalent	Monitor		Monitor
Cadmium, Total	Monitor		Monitor
Cyanide, Free	0.013		0.033
Copper, Total	Monitor		Monitor
Mercury, Total	0.00013		0.00032
Silver, Total	Monitor		Monitor
Zinc, Total	Monitor		Monitor

The EPA Waiver is not in effect.

**No. PA0025488**, Sewage, **Borough of Avondale**, 110 Pomeroy Street, P. O. Box 247, Avondale, PA 19311.

This application is for renewal of an NPDES permit to discharge treated sewage from an existing Avondale Borough sewage treatment plant in Avondale Borough, **Chester County**. This is an existing discharge to unnamed tributary to East Branch White Clay Creek.

The receiving stream is classified for the following uses: cold water fishery, aquatic life, water supply and recreation.

The following notice reflects changes to the notice published in the June 2, 2001 *Pennsylvania Bulletin*.

The proposed effluent limits for Outfall 001, based on an average flow of 0.3 mgd from issuance of the permit through plant expansion and upgrade are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Suspended Solids	30	45	60
Ammonia (as N)			
(5-1 to 10-31)	2.0		4.0
(11-1 to 4-30)	6.0		12.0
Phosphorus (as P)			
(from July 2002)	2.0		4.0
Total Residual Chlorine			
(from July 2002)	0.5		1.17
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	minimum of 2 mg/l at all times		
pH	Within limits of 6.0—9.0 Standard Units at all times		
Phosphorus as P until June 2002	Monitor		Monitor
Total Residual Chlorine until June 2002	0.6		1.4
		<i>Daily Maximum (mg/l)</i>	
4,4'-DDD	0.000004	0.000008	0.00001
Copper, Total	0.034	0.068	0.085

The proposed effluent limits for Outfall 001, based on an average flow of 0.5 mgd from completion of plant expansion and upgrade through expiration are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub> (5-1 to 10-31)	15	23	30
(11-1 to 4-30)	25	40	50
Suspended Solids	30	45	60
Ammonia (as N) (5-1 to 10-31)	1.2		2.4
(11-1 to 4-30)	3.6		7.2
Phosphorus (as P)	2.0		4.0
Total Residual Chlorine	0.4		0.8
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	minimum of 3 mg/l at all times		
pH	Within limits of 6.0—9.0 Standard Units at all times		
		<i>Maximum Daily (mg/l)</i>	
4,4'-DDD	0.000003	0.000006	0.000007
Copper, Total	0.024	0.048	0.06

The EPA Waiver is not in effect.

Special Test Methods for certain pollutants.

**No. PA0054780**, Sewage, **Stone Mill Estates, L.P.**, 3103 Philmont Ave., Huntingdon Valley, PA 19006.

This application is for renewal of an NPDES permit to discharge treated sewage from the Concord Mobile Home STP in Concord Township, **Delaware County**. This is a new discharge to Green Creek.

The receiving stream is classified for the following uses: trout stocking fishery, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001, based on an average flow of 0.0635 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
Suspended Solids	30	60
Ammonia (as N) (5-1 to 10-31)	6	12
(11-1 to 4-30)	18	36
Total Residual Chlorine	0.5	1.2
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
pH	Within limits of 6.0—9.0 Standard Units at all times	

The EPA Waiver is in effect.

*Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**PA-0064131**, Sewage, **Sonny Singh, d/b/a Raceway Truckstop**, P. O. Box 239, Harford, PA 18823.

This proposed facility is located in Tremont Township, **Schuylkill County**.

Description of Proposed Activity: Proposed new NPDES Permit for a treated sewage discharge.

The receiving stream, Swatara Creek, is in watershed #7D-Swatara Creek and is classified for: CWF

The proposed effluent limits for Outfall 001 based on a design flow of 0.015 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum (mg/l)</i>
CBOD <sub>5</sub>	25.0		50.0
Total Suspended Solids	30.0		60.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times.		
Total Residual Chlorine	1.2		2.8

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4707.*

**PA# PAG123519**, CAFO, **M & M Farms**, Monte Edgin, R. R. 1, Box 42, Shirleysburg, PA 17260.

This proposed facility is located in Cromwell Township, **Adams County**.

Description of Proposed Activity: (project description). Operation of a 2,200 head swine finishing operation, proposing to construct a second 2,200 head finishing operation on the same farm. This operation will have a total of 576.8 AEU's and a Concentration of 11.536 AEU's/Acre. Each barn will utilize 700,000 concrete manure storage structure under the facility.

The receiving stream, Old Womans Run Creek, is in the State Water Plan watershed 12C-Aughwick Creek and is classified for: CWF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25 year/24 hour rain storms, the CAFO general permit is a Pa. Code discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the State narrative water quality standards.

**Application No. PA**, Industrial Waste, SIC Code 2015, **Pennfield Farms, Inc.** (Pennfield Farm Poultry IWTF), P. O. Box 70, Fredericksburg, PA 17026.

This facility is located in Bethel Township, **Lebanon County**.

Description of activity: The application is for renewal of an NPDES permit for an existing discharge of treated industrial waste.

The receiving stream, Deep Run, is in Watershed 7-D and classified for warm water fishery, water supply and recreation and fish consumption. The nearest downstream public water supply intake for Pennsylvania American Water Company is located on Swatara Creek, approximately 28 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 based on a design flow of 0.60 MGD are:

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Residual Chlorine	XXX	XXX	<0.1	XXX	0.2
Dissolved Oxygen	Monitor & Report	Monitor & Report	Minimum of 5.0 at all times		
CBOD <sub>5</sub>	Monitor & Report	Monitor & Report	20	40	50
Total Suspended Solids	Monitor & Report	Monitor & Report	25	50	75
NH <sub>3</sub> -N					
(5-1 to 10-31)	7.5	15	1.5	3.0	3.5
(11-1 to 4-30)	22.5	45	4.5	9.0	10.5
Total Phosphorus	10	20	2.0	4.0	5.0
Fecal Coliform	XXX	XXX	200	XXX	XXX
(5-1 to 9-30)					
(10-1 to 4-30)	XXX	XXX	2,200	XXX	XXX
Total Nitrogen	Monitor & Report	XXX	Monitor & Report	XXX	XXX

In addition to the effluent limits, the permit contains the following major special conditions:

- Stormwater outfall requirements
- Chemical additive requirements

Individuals may make an appointment to review the DEP files on this case by calling Mary DiSanto, File Review Coordinator, at (717) 705-4732.

The EPA waiver is in effect.

**Application No. PA 0080705**, Sewage, **Fredericksburg Sewer and Water Authority**, 2529 Route 22, P. O. Box 161, Fredericksburg, PA 17026.

This facility is located in Bethel Township, **Lebanon County**.

Description of activity: The application is for renewal of an NPDES permit for an existing and proposed expanded discharge of treated sewage.

The receiving stream, Deep Run, is in Watershed 7-D and classified for warm water fishery, water supply and recreation and fish consumption. The nearest downstream public water supply intake for Pennsylvania American Water Company is located on Swatara Creek, approximately 28 miles downstream. The discharge is not expected to affect the water supply.

*Interim*

The proposed effluent limits for Outfall 001 for a design flow of 015 MGD are:

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
NH <sub>3</sub> -N			
(5-1 to 10-31)	1.5	XXX	3.0
(11-1 to 4-30)	4.5	XXX	9.0
Total Phosphorus	2.0	XXX	4.0
Total Residual Chlorine	<0.1	XXX	<0.2
Total Nitrogen	Monitor & Report	XXX	XXX
Dissolved Oxygen	Minimum of 5.0 at all times		
pH	From 6.0 to 9.0 inclusive		
Fecal Coliform	200/100 ml as a geometric average		
(5-1 to 9-30)	2,200/100 ml as a geometric average		
(10-1 to 4-30)			

*Final*

The proposed effluent limits for Outfall 001 for a design flow of 025 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N			
(5-1 to 10-31)	1.5	XXX	3.0
(11-1 to 4-30)	4.5	XXX	9.0
Total Phosphorus	2.0	XXX	4.0
Total Residual Chlorine	0.18	XXX	0.58
Total Nitrogen	Monitor & Report	XXX	XXX
Dissolved Oxygen	Minimum of 5.0 at all times		
pH	From 6.0 to 9.0 inclusive		
Fecal Coliform	200/100 ml as a geometric average		
(5-1 to 9-30)	2,200/100 ml as a geometric average		
(10-1 to 4-30)			

In addition to the effluent limits, the permit contains the following major special condition:

- Schedule of facility expansion

Individuals may make an appointment to review the DEP files on this case by calling Mary DiSanto, File Review Coordinator, at (717) 705-4732.

The EPA waiver is in effect.

**Application No. PA 0080829**, Industrial Waste, **Keystone Protein Company**, Chestnut Hill Road, P. O. Box 37, Fredericksburg, PA 17026.

This facility is located in Bethel Township, **Lebanon County**.

Description of activity: The application is for renewal of an NPDES permit for an existing discharge of treated industrial waste.

The receiving stream, an unnamed tributary of Beach Run, is in Watershed 7-D and classified for warm water fishery, water supply and recreation and fish consumption. The nearest downstream public water supply intake for Pennsylvania American Water Company is located on Swatara Creek, approximately 28 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 based on a design flow of 0.25 MGD are:

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor & Report	Monitor & Report	XXX	XXX	XXX
pH	XXX	XXX	XXX	XXX	XXX
Dissolved Oxygen	XXX	XXX	Minimum of 5.0 mg/l at all times		
Total Residual Chlorine	XXX	XXX	<0.1	XXX	0.2
Total Suspended Solids	46.7	93.4	Monitor & Report	Monitor & Report	55
CBOD <sub>5</sub>	38.2	76.4	Monitor & Report	Monitor & Report	45
NH <sub>3</sub> -N					
(5-1 to 10-31)	3.1	6.2	1.5	3.0	3.75
(11-1 to 4-30)	9.3	18.7	4.5	9.0	11.25
Total Phosphorus	4.1	8.3	2.0	4.0	5.0

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Oil and Grease	21.2	42.4	10	20	25
Fecal Coliform (5-1 to 9-30)	XXX	XXX	200	XXX	XXX
(10-1 to 4-30)	XXX	XXX	400	XXX	XXX
Total Nitrogen	Monitor & Report	XXX	Monitor & Report	XXX	XXX

In addition to the effluent limits, the permit contains the following major special conditions:

- Chemical Additive Language
- Storm Water Outfall Requirements

Individuals may make an appointment to review the DEP files on this case by calling Mary DiSanto, File Review Coordinator, at (717) 705-4732.

The EPA waiver is in effect.

*Southwest Regional Office: Regional Manager, Water Management, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; (412) 442-4000.*

**PA0000515**, Sewage, **James Haber**, 5745 Ellsworth Avenue, Pittsburgh, PA 15232.

This application is for Renewal of an NPDES permit to discharge treated sewage from Allison Park Industrial Park STP in Hampton Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Pine Creek, which are classified as a trout stock fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Millvale Municipal Water Works.

*Outfall 005*: existing discharge, design flow of 0.00075 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Fecal Coliform (5-1 to 9-30)		200/100 ml as a geometric mean		
(10-1 to 4-30)		2,000/100 ml as a geometric mean		
Total Residual Chlorine	1.4			3.3
pH		not less than 6.0 nor greater than 9.0		

The EPA waiver is in effect.

**PA0027219**, Sewage, **Greater Uniontown Joint Sewage Plant Authority**, 90 Romeo Lane, Uniontown, PA 15401.

This application is for renewal of an NPDES permit to discharge treated sewage from the Uniontown STP in North Union Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Redstone Creek, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Washington Township Municipal Authority.

*Outfall 001*: existing discharge, design flow of 4 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub> (5-1 to 10-31)	10	15		20
(11-1 to 4-30)	20	30		40
Suspended Solids	30	45		60
Ammonia Nitrogen (5-1 to 10-31)	2.5	3.8		5.0
(11-1 to 4-30)	7.5	11.3		15.0
Fecal Coliform (5-1 to 9-30)		200/100 ml as a geometric mean		
(10-1 to 4-30)		2,000/100 ml as a geometric mean		
Total Residual Chlorine	1			3.3
Dissolved Oxygen		not less than 5 mg/l		

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
pH	not less than 6.0 nor greater than 9.0			
Other Conditions:	The following effluent limitations will apply if/when the plant is expanded to a flow of 8 mgd			

*Outfall 001:* proposed expanded discharge, design flow of 8 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub> (5-1 to 10-31)	10	15		20
(11-1 to 4-30)	20	30		40
Suspended Solids	30	45		60
Ammonia Nitrogen (5-1 to 10-31)	2.3	3.5		4.6
(11-1 to 4-30)	5.2	7.8		10.4
Fecal Coliform (5-1 to 9-30)		200/100 ml as a geometric mean		
(10-1 to 4-30)		2,000/100 ml as a geometric mean		
Total Residual Chlorine	1 mg/l			3.3 mg/l
Dissolved Oxygen		not less than 5 mg/l		
pH		not less than 6.0 nor greater than 9.0		

The EPA waiver is not in effect.

**PA0204340**, Sewage, **Anna H. and Ray E. Newhouse**, R. D. 1, Box 407, New Alexandria, PA 15670.

This application is for renewal of an NPDES permit to discharge treated sewage from New Alexandria Mobile Home Park STP in Derry Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Loyalhanna Creek, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Buffalo Township Municipal Authority, Freeport Plant, on the Allegheny River.

*Outfall 001:* existing discharge, design flow of 0.00589 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Fecal Coliform (5-1 to 9-30)		200/100 ml as a geometric mean		
(10-1 to 4-30)		100,000/100 ml as a geometric mean		
Total Residual Chlorine	1.4			3.3
pH		not less than 6.0 nor greater than 9.0		

The EPA waiver is in effect.

**PA0218880**, Sewage, **HIS Enterprises**, 930 Merwin Road, New Kensington, PA 15068.

This application is for issuance of an NPDES permit to discharge treated sewage from the Morrow Mobile Home Park Sewage Treatment Plant in Upper Burrell Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Pucketa Creek, which are classified as a trout stock fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Oakmont Borough Municipal Authority.

*Outfall 001:* new discharge, design flow of 0.012 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	4.5			9.0
(11-1 to 4-30)	13.5			27.0



Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	4,000/100 ml as a geometric mean			
Total Residual Chlorine	0.3			0.8
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0218901**, Sewage, **Totteridge Limited Partnership**, R. R. 4, Box 121, Greensburg, PA 15601.

This application is for issuance of an NPDES permit to discharge treated sewage from Totteridge Sewage Treatment Plant in Salem Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Crabtree Creek, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Buffalo Township Municipal Authority Freepport.

*Outfall 001*: new discharge, design flow of 0.04 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	3.0			6.0
(11-1 to 4-30)	9.0			18.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	3,000/100 ml as a geometric mean			
Total Residual Chlorine	0.15			0.3
Dissolved Oxygen	not less than 4 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

*Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**PA0025569**, Sewage, **Slippery Rock Municipal Authority**, 114 Crestevue Drive, Slippery Rock, PA 16057.

This proposed facility is located in Slippery Rock Township, **Butler County**.

Description of proposed existing discharge, is in watershed 20-C and classified for: cold water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Camp Allegheny intake on Slippery Rock Creek located in Wayne Township, Lawrence County, approximately 17 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.2 MGD.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	250	400	25	40	50
Total Suspended Solids	300	450	30	45	60
Ammonia-Nitrogen (5-1 to 10-31)	120		12		24
Fecal Coliform (5-1 to 9-30)		200/100 ml as a geometric average.			
(10-1 to 4-30)		21,800/100 as a geometric average			
Total Residual Chlorine			0.5		1.6
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall 002 are based on a design flow of 1.2 MGD.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>			25		50
Total Suspended Solids			30		60
Ammonia-Nitrogen (5-1 to 10-31)			2.1		4.2
(5-1 to 10-31)			6.3		12.6
Fecal Coliform (5-1 to 9-30)			200/100 ml as a geometric average.		
(10-1 to 4-30)			2,000/100 as a geometric average		
Total Residual Chlorine			0.01		0.025
Free Cyanide			0.005		0.013
Phenolics			0.02		0.05
pH	Within limits of 6.0 to 9.0 standard units at all times.				
XX—Monitor and report.					

The EPA Waiver is not in effect.

**WATER QUALITY MANAGEMENT PERMITS**  
**CONTROLLED INDUSTRIAL WASTE AND SEWAGE WASTEWATER APPLICATIONS UNDER THE CLEAN STREAMS LAW**  
**PART II PERMITS**

The following permit applications or requests for plan approval have been received by the Department of Environmental Protection (Department). The applications are listed in two categories. Section I lists all municipal and industrial permits and Section II lists oil and gas related permit applications.

Persons wishing to comment on any of the applications are invited to submit a statement to the office noted before the application within 15 days from the date of this public notice. Comments received within this 15-day comment period will be considered in making the final decision regarding the application. The comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department reserves the right to hold a public hearing if the responsible office considers the public response significant. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation of the area. If no hearing is held, the Department's Water Management Program Manager will make a final determination regarding the applications after a complete review. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

A copy of the permit application or proposed plan is on file in the office indicated and is open to public inspection. Appointments to review the application may be made by contacting Records Management at the indicated telephone number.

**I. Industrial waste and sewerage applications under The Clean Streams Law (35 P. S. §§ 691.1—691.1001).**

*Southeast Region: Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

**WQM Permit No. 4601409**, Sewerage, **Upper Gwynedd Township**, P. O. Box 1, Parkside Place, West Point, PA 19486.

This proposed facility is located in Upper Gwynedd Township, **Montgomery County**.

Description of Proposed Action/Activity: Construction and operation of a dechlorination facility at the existing wastewater treatment plant.

**WQM Permit No. 0901411**, Sewerage, **Pennridge School District**, 1506 North Fifth Street, Perkasie, PA 18944-2295.

This proposed facility is located in Bedminster Township, **Bucks County**.

Description of Proposed Action/Activity: Installation of effluent UV disinfection system at the school WWTF.

**WQM Permit No. 4601407**, Sewerage, **Limerick Township Municipal Authority**, 529 King Road, P. O. Box 29.

This proposed facility is located in Limerick Township, **Montgomery County**.

Description of Proposed Action/Activity: Construction and operation of a sewer collection system and pump station to serve the Estates and Landis Brooke.

**WQM Permit No. 0901410**, Sewerage, **Bucks County Water & Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976.

This proposed facility is located in Doylestown Township, **Bucks County**.

Description of Proposed Action/Activity: Construction and operation to install a low-pressure sewer collection system to serve a residential development.

*Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**WQM Permit No. 4001405**, Sewerage, **The Quail Hill Company**, 198 South Main Boulevard, Mountaintop, PA 18707.

This proposed facility is located in Pittston Township, Avoca and Dupont Boroughs, **Luzerne County**.

Description of Proposed Action/Activity: The Quail Hill Planned Residential community pump station will serve

35 EDUs located within the Phase 1 development area of the project. These 35 units are new homes connected by a new gravity sewer system to the pump station. The pump station is of a submersible duplex design. The wet well and force main for the pump station are already in place near the intersection of Pittston Avenue and Road A of the new development. The force main connects to a gravity sewer main at Packer Avenue, which ties into the Dupont Borough Sewer System at S.R. 0011.

*Southcentral Region: Water Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4707.*

**WQM Permit No. 3601405**, Sewerage, **Black Rock Retreat Association**, 1345 Kirkwood Pike, Quarryville, PA 17566.

This proposed facility is located in Colerain Township, **Lancaster County**.

Description of Proposed Action/Activity: Replacement of existing system with recirculating packed media filter wastewater treatment system.

**WQM Permit No. 3601204**, Industrial Waste, **Cocalico Valley Poultry Farm**, 1095 Mt. Airy Road, Stevens, PA 17578.

This proposed facility is located in West Cocalico Township, **Lancaster County**.

Description of Proposed Action/Activity: Additions & Modifications to an existing industrial wastewater treatment facility.

*Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

**WQM Permit No. 1499409**, Sewerage, **University Area Joint Authority**, 1576 Spring Valley Road, State College, PA 16801.

This proposed facility is located in Patton Township, **Centre County**.

Description of Proposed Action/Activity: Authority is proposing to provide a gravity sewer line that will eliminate the temporary pump station that serves the Colonnade Development. Application was received on July 31, 2001 at Northcentral Regional Office.

**NPDES Stormwater Individual Permit**

The following parties have applied for an NPDES permit to discharge stormwater associated with a construction activity into waters of this Commonwealth.

Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection (Department) proposes to issue a permit to discharge, subject to certain limitations set forth in the permit conditions. These proposed determinations are tentative. Limitations are provided as erosion and sediment control best management practices (BMPs) which restrict the rate and quantity of sediment discharged.

Where indicated, the EPA Region III Administrator has waived the right to review or object to this proposed permit action under the waiver provision 40 CFR 123.24(d).

Persons wishing to comment on the proposed permit are invited to submit a statement to the appropriate Department Regional Office noted before the application within 30 days from the date of this public notice. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and relevant facts upon which it is based. A public hearing may be held after consideration of comments received by the appropriate DEP Regional Office during the 30-day public comment period.

Following the 30-day comment period, the appropriate Regional Office Water Management Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The application and related documents, including the erosion and sediment control plan for the earth disturbance activity, are on file and may be inspected at the office identified in this notice.

Persons with a disability that require an auxiliary aid, service or other accommodation to participate during the 30-day public comment period should contact the specified Regional Office. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

*Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

*Lackawanna County Conservation District: 1300 Old Plank Road, Mayfield, PA 18433, (570) 281-9495.*

<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS10N023R1	Jefferson Township Sewer Authority R. R. 3, Box 394A Lake Ariel, PA 18436	Lackawanna County Jefferson Township	Unnamed tributary to West Branch of Wallenpaupack Creek HQ-CWF  Little Roaring Brook HQ-CWF  Eddy Creek WWF  Unnamed tributary to Rock Bottom Creek HQ-CWF

*Lehigh County Conservation District: Lehigh Ag. Ctr., Ste. 102, 4184 Dorney Park Road, Allentown, PA 18104, (610) 391-9583.*

<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS10Q227	Sunburst Property Management 1001 E. Highland St. Allentown, PA 18103	Lehigh County Upper Macungie Township	Little Lehigh Creek HQ-CWF

*Northampton County Conservation District: Greystone Bldg., Gracedale Complex, Nazareth, PA 18064-9211, (610) 746-1971.*

<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS10U155	Tom Mirth 496 Lone Lane Allentown, PA 18104	Northampton County Forks Township	Bushkill Creek HQ-CWF

## SAFE DRINKING WATER

### Applications received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).

*Northeast Region: Water Supply Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

#### **Permit No. 5401507**, Public Water Supply.

Applicant	<b>Far Away Auburn</b>
Borough or Township	South Manheim Township
Responsible Official	Stanley Frompovicz
Type of Facility	Bulk Water Hauling
Consulting Engineer	Charles Yourshaw
Application Received Date	July 17, 2001
Description of Action	Source, Treatment and Bulk Water Hauling

#### **Permit No. 3601513**, Public Water Supply.

Applicant	<b>Shree Harikrupa LLC Motel 6 Gordonville</b>
Municipality	East Lampeter Township
County	<b>Lancaster</b>
Responsible Official	Pankaj Patel, President 2959 Lincoln Highway East Gordonville, PA 17529
Type of Facility	Public Water Supply
Consulting Engineer	James R Fisher, P.E. Fisher Engineering Inc 18 C S 7th Street Akron, PA 17501
Application Received Date	July 5, 2001
Description of Action	Installation of a nitrate treatment facility to reduce nitrate levels below the MCL. Project will also involve the installation of disinfection equipment.

*Northcentral Region: Water Supply Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

**Permit No. 4496031-Amendment 10**, Public Water Supply.

Applicant	<b>Tulpehocken Spring Water, Inc.</b> R.R. 1, Box 114T Northumberland, PA 17857
Township	Point Township, <b>Northumberland County</b>
Responsible Official	Gary Troutman, Vice President
Type of Facility	Bottled Water Plant
Consulting Engineer	EarthRes Group, Inc. P. O. Box 468 Pipersville, PA 18947
Application Received Date	August 3, 2001
Description of Action	Addition of new source of water for the Oak Park Bottling Plant

#### **Permit No. 1401503**, Public Water Supply.

Applicant	<b>The Pennsylvania State University</b> Office of Physical Plant Engineering Services Physical Plant Building University Park, PA 16802-1118
Township	College Township, <b>Centre County</b>
Responsible Official	John Gaudlip Utilities Systems Engineer Physical Plant Building University Park, PA 16802-1118
Type of Facility	Public Water Supply
Consulting Engineer	Robert E. Cooper, P.E. Manager, Engineering Services Office of Physical Plant University Park, PA 16802-1118
Application Received Date	August 2, 2001
Description of Action	Blending of Well #35 for VOC treatment

*Northwest Region: Water Supply Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

#### **Permit No. 1601502**, Public Water Supply.

Applicant	<b>Foxburg Area Water and Sewer Authority</b> P. O. Box 2 Foxburg, PA 16036-0002
-----------	--

Township or Borough Foxburg Borough, **Clarion County**  
 Responsible Official Larry Preston, Chairperson  
 Foxburg Area Water and Sewer Authority  
 Type of Facility Public Water Supply  
 Consulting Engineer Paul J. Cornetti, P.E.  
 Gray-Warnick Engineering  
 662 West New Castle Rd.  
 Butler, PA 16001.  
 Application Received August 1, 2001  
 Date  
 Description of Action Additional well source, new aeration, sedimentation and clearwell tanks.

**Permit No. 3301501**, Public Water Supply.

Applicant **Brockway Borough Municipal Authority**  
 501 Main St.  
 Brockway, PA 15824.  
 Township or Borough Brockway Borough, **Jefferson County**  
 Responsible Official Robert Fustine, Manager  
 Brockway Borough Municipal Authority  
 Type of Facility Public Water Supply  
 Consulting Engineer Harry E. Bingman, P.E.  
 Glace Assoc., Inc.  
 3705 Trindle Rd.  
 Camp Hill, PA 17011-4334.  
 Application Received August 3, 2001  
 Date  
 Description of Action Construct a water booster station to serve the Mount Vista area.

#### MINOR AMENDMENT

#### Applications Received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17)

*Northeast Region: Water Supply Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**Application No. N.A.**, Minor Amendment.

Applicant **Fox Ledge, Inc.**  
 Township or Borough Mount Pleasant Township  
 Responsible Official Alfred Alessi  
 R. R. 1, Box 522  
 Honesdale, PA 18431  
 Type of Facility Bottled Water  
 Consulting Engineer Michael Propst, P.E.  
 Application Received July 19, 2001  
 Date  
 Description of Action Add a source, Sweet Arrow Springs

*Northcentral Region: Water Supply Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

**Application No. Minor Amendment**, Minor Amendment.

Applicant **Houtzdale Municipal Authority**  
 731-I Kirk Street  
 P. O. Box 97  
 Houtzdale, PA 16651  
 Township Rush Townships, **Centre County**  
 Responsible Official John Fudrow, Manager  
 Houtzdale Municipal Authority  
 731-I Kirk Street  
 P. O. Box 97  
 Houtzdale, PA 16651  
 Type of Facility Public Water Supply  
 Consulting Engineer Uni-Tec Consulting Engineers, Inc.  
 2007 Cato Ave.  
 State College, PA 16801  
 Application Received July 20, 2001  
 Date  
 Description of Action Reconstruction of upper and lower intakes on Mountain Branch and installation of weir on Mountain Branch

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 1

#### Acknowledgment of Notices of Intent to Remediate Submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background standard, Statewide health standard, the site-specific standard, or who intend to remediate a site as a special industrial area, must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one, or a combination of the cleanup standards, or who receives approval of a special industrial area remediation identified under the Act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under sections 304(n)(1)(ii) and 305(c)(2) of the Act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is pub-

lished in a newspaper of general circulation in the area of the site. For the sites identified, proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified. During this comment period the municipality may request that the person identified, as the remediator of the site, develop and implement a public involvement plan. Requests to be involved and comments, should be directed to the remediator of the site.

For further information concerning the content of a Notice of Intent to Remediate, contact the Environmental Cleanup Program Manager in the Department Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following Notices of Intent to Remediate:

*Southeast Region: Environmental Cleanup Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

**Main Street at Exton**, West Whiteland Township, **Chester County**. J. Anthony Sauder, Pennoni Associates, Inc., 3001 Market St., Suite 200, Philadelphia, PA 19104-2897, on behalf of Wal-Mart Stores, Inc., Luda E. Broyles, III, Wolfson-Verrichia Group Inc., Main Street at Exton, LP, Main Street at Exton II, LP, Main Street Trail, LP, Main Street Cinema, LP, Main Street Associates (WM), LP and Main Street Office II, LP, 1230 Germantown Pike, Suite 305, Plymouth Meeting, PA 19462, has submitted a revised Notice of Intent to Remediate site soil contaminated with heavy metals, BTEX, petroleum hydrocarbons, polycyclic aromatic hydrocarbons and solvents; and site groundwater contaminated with BTEX, petroleum hydrocarbons, polycyclic aromatic hydrocarbons and solvents. The applicant proposes to remediate the site to meet Site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Daily Local News* on July 11, 2001.

**1100 East Mermaid Lane Property**, Springfield Township, **Montgomery County**. Darryl D. Borrelli, Manko, Gold & Katcher, LLP, 401 City Ave., Suite 500, Bala Cynwyd, PA 19004, on behalf of General Atronics Realty Corp., 1200 E. Mermaid Lane, Wyndmoor, PA 19038, has submitted an amended Notice of Intent to Remediate site soil contaminated with asbestos and site groundwater contaminated with solvents and MTBE. The applicant proposes to remediate the site to meet Statewide Health and Site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Daily News* on July 23, 2001.

**1200 East Mermaid Lane Property**, Springfield Township, **Montgomery County**. Darryl D. Borrelli, Manko, Gold & Katcher, LLP, 401 City Ave., Suite 500, Bala Cynwyd, PA 19004, on behalf of General Atronics Realty Corp., 1200 E. Mermaid Lane, Wyndmoor, PA 19038, has submitted an amended Notice of Intent to Remediate site soil contaminated with lead, heavy metals, BTEX, solvents and asbestos; and site groundwater contaminated with BTEX, solvents and MTBE. The applicant proposes to remediate the site to meet Statewide Health

and Site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Daily News* on July 23, 2001.

**Sparango Construction Co., Inc.**, Whitemarsh Township, **Montgomery County**. Erik W. Stephens, Manko, Gold & Katcher, LLP, 401 City Ave., Suite 500, Bala Cynwyd, PA 19004, on behalf of Sparango Construction Co., Inc., 506 Bethlehem Pike, Ft. Washington, PA 19034, has submitted a Notice of Intent to Remediate site soil contaminated with PCBs, lead, heavy metals, polycyclic aromatic hydrocarbons, solvents and pesticides. The applicant proposes to remediate the site to meet Statewide Health and Site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Times Herald* on July 23, 2001.

**Hunter Elementary School**, City of Philadelphia, **Philadelphia County**. Gloria G. Hunsberger, P.G., Powell-Harpstead, Inc., 800 E. Washington St., West Chester, PA 19380, on behalf of the School District of Philadelphia, 734 Schuylkill Ave., Rm. 336, Philadelphia, PA 19146, has submitted a Notice of Intent to Remediate site soil contaminated with lead, BTEX, polycyclic aromatic hydrocarbons and solvents. The applicant proposes to remediate the site to meet Site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Daily News* on July 23, 2001.

*Northeast Region: Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**Former Marine Corps Reserve Training Center** (712 Washington Street), Freemansburg Borough, **Northampton County**. Valerie L. Thurmond, Design Team Leader, US Army Corps of Engineers, Geotechnical and Water Resources Branch, 10 S. Howard Street, Baltimore, MD 21201 has submitted a Notice of Intent to Remediate concerning the remediation of site soils found or suspected to have been contaminated with polycyclic aromatic hydrocarbons and BTEX compounds. The applicant proposes to remediate the site to meet the Statewide health standard. A Summary of the Notice of Intent to Remediate was reportedly published in Allentown's *The Morning Call* on July 20, 2001. A Final Report was simultaneously submitted. See additional *Pennsylvania Bulletin* notice.

*Northwest Region: Environmental Cleanup Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**Haywood Development Site**, 15 Roemer Blvd, Farrell, PA 16121, City of Farrell, **Mercer County** and Jo Hinich, P.G., on behalf of Mountain Research, Inc., 825 25th Street, Altoona, PA 16601, has submitted a Notice of Intent to Remediate soil and groundwater contaminated with Lead, Heavy Metals, Solvents, BTEX, PAHs and MTBE. The applicant proposes to remediate the site and to use a Special Industrial Standard. A summary of the Notice of Intent to Remediate was published in the *Herald Newspaper* on August 6, 2001.

#### MUNICIPAL WASTE GENERAL PERMITS

**Applications received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and the Beneficial Use of Municipal Waste.**

Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.

**General Permit Application No. WGM013. Summit Anthracite, Inc.,** R.D. 1—Vista Road, Box 12A, Klingerstown, PA 17941. The application is for beneficial use of leaf and yard waste as a soil nutrient or soil conditioner at mine sites. The application was received on July 20, 2001.

Comments concerning the application should be directed to Ronald C. Hassinger, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472. Persons interested in obtaining more information about the general permit application may contact the Division of Municipal and Residual Waste, (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to and approval or denial of the application.

## AIR QUALITY

### NOTICE OF PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

#### NEW SOURCES AND MODIFICATIONS

The Department of Environmental Protection (DEP) has developed an "integrated" plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for DEP, the regulated community and the public. This approach allows the owner or operator of a facility to complete and submit all the permitting documents relevant to its application one time, affords an opportunity for public input and provides for sequential issuance of the necessary permits.

Notice is hereby given that DEP has received applications for plan approvals and/or operating permits from the following facilities.

Copies of these applications, subsequently prepared draft permits, review summaries and other support materials are available for review in the Regional Office identified in this notice. Persons interested in reviewing the application files should contact the appropriate Regional Office to schedule an appointment.

Persons wishing to receive a copy of the proposed Plan Approval or Operating Permit must indicate their interest to the DEP Regional Office within 30 days of the date of this notice and must file protests or comments on a Proposed Plan Approval or Operating Permit within 30 days of the DEP providing a copy of the proposed document to that person or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first. Interested persons may also request that a hearing be held concerning the proposed plan approval and operating permit. Any comments or protests filed with DEP Regional Offices must include a concise statement of the objections to the issuance of the plan approval or operating permit and relevant facts, which serve as the basis for the objections. If DEP schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the Regional Office identi-

fied. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Final plan approvals and operating permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121 through 143, the Federal Clean Air Act and regulations adopted under the Act.

### PLAN APPROVALS

**Plan Approval Applications Received under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B that may have special public interest. These applications are in review and no decision on disposition has been reached.**

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110; Contact: Ronald Davis, New Source Review Chief, (717) 705-4702.*

**06-5037C: McConway & Torley Corp.** (230 Railroad Street, Kutztown, PA 19530) for modification of an automatic core making machine controlled by a wet scrubber in Kutztown Borough, **Berks County**.

**01-05002A: MasterBrand Cabinets, Inc.** (80 Keystone Street, Littlestown, PA 17340) for construction of four spray booths and the installation of a regenerative thermal oxidizer at the Littlestown facility in the Borough of Littlestown, **Adams County**. This modification is subject to 40 CFR Part 63, Subpart JJ—National Emissions Standards for Wood Furniture Manufacturing Operations.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; Contact: William Charlton, New Source Review Chief, (412) 442-4174.*

**63-00893C: Master Woodcraft, Inc.** (100 Stationvue, Washington, PA 15301) for construction of a Surface Coating Spray Booth at Washington Plant in Chartiers Township, **Washington County**.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481; Contact: Devendra Verma, New Source Review Chief, (814) 332-6940.*

**33-167B: Laurel Energy, LP Sandy Lands Mine** (Route 2023, Reynoldsville, PA 15851) for post-construction of a diesel fuel-powered electric generator (1226 EKW), with SCR Catalyst control in McCalmont Township, **Jefferson County**.

**43-278A: Cobra Metal, Inc.** (3rd and Brentwood Avenue, Transfer, PA 16154) for construction of a Brass and Copper Turnings Rotary Dryer controlled by new afterburner and existing cyclone and baghouse in Pymatuning Township, **Mercer County**.

**42-195A: Ram Forest Products Inc.** (HCR 1 Box 15A, Shinglehouse, PA 16748) for construction of a wood fired boiler rated at 39.4 MMBTU/hr and controlled by Multiclones in Ceres Township, **McKean County**. The source is subject to New Source Performance Standards 40 CFR Part 60 Subpart Dc.

**61-200A: Webco Industries, Inc.** (363 Seneca Street, Oil City, PA 16301) for post construction plan approval of two existing gas-fired annealing furnaces for various steel tubing products in Oil City, **Venango County**.

**20-175A: Cardinal Home Products, Tel-O-Post Division** (205 North Pymatuning Street, Linesville, PA

16424) for post-construction of surface coating operations, including red, gray and staining in Linesville, **Crawford County**.

**37-023C: Orion Power MidWest, L.P.—New Castle Plant** (State Route 168 South, West Pittsburgh, PA 16160) for installation of selective Pa. Code catalytic reduction (SNCR) NO<sub>x</sub> Control on Nos. 3, 4 and 5 boilers in Taylor Township, **Lawrence County**. This facility is a Title V facility.

**43-170D: Werner Co.—Greenville Division** (93 Werner Road, Greenville, PA 16125) for modification to existing plan approval to reduce the emission limit and establish a new emission factor for the pultrusion process in Sugar Grove Township, **Mercer County**.

**37-003B: ESSROC Cement Corp.** (Second Street, Bessemer, PA 16112) for installation of a baghouse (12,000 cfm), on clinker loadout system in Bessemer Borough, **Lawrence County**. This facility is a Title V facility.

---

**Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.**

---

*Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Thomas McGinley, New Source Review Chief, (610) 832-6242.*

**15-0027E: Johnson Matthey, Inc.** (456 Devon Park Drive, Wayne, PA 19087) for installation of a 400-kilowatt (kW) Caterpillar Emergency Generator at their Catalytic System Manufacturing facility in Tredyffrin Township, **Chester County**. The facility is major for volatile organic compounds (VOC)/nitrogen oxides (NO<sub>x</sub>). This installation results in a NO<sub>x</sub> net emission increase of 0.5 ton per year from the facility. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**15-0058A: Martin Limestone, Inc.** (Quarry Road, P. O. Box 1081, Honey Brook, PA 19344) for installation of a replacement primary crusher and a new cone crusher, located at Martin Limestone's quarry in Honey Brook Township, **Chester County**. The quarry is a Pa. Code Title V (State only) facility. The installation of the primary crusher will result in emissions of particulate matter of 2.4 tons per year. The installation of the cone crusher will result in emissions of particulate matter of 2.2 tons per year. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110; Contact: Ronald Davis, New Source Review Chief, (717) 705-4702.*

**06-5090A: Chiyoda America, Inc.** (P. O. Box 470, Morgantown, PA 19543-0470) for modification of a decorative coating facility controlled by thermal oxidizers in Caernarvon Township, **Berks County**. This decorative coating facility is a Pa. Code Title V (State only) facility. This modification will result in a reduction in the potential and actual emission of volatile organic compounds (VOC) per year by an amount of 24 tons. The allowable Potential emission from the facility will be set at 49 tons

of VOC per year. The applicant will be required to record the coating usages and calculate the VOC emissions monthly. Limits will be placed on the VOC emissions from the facility. The approval will include monitoring, record keeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**36-05107B: Pepperidge Farm, Inc.** (2195 North Reading Road, Denver, PA 17517) for modification of the No. 8 Cracker Line and Bread Line volatile organic compound (VOC) emission controls at the Denver Bakery in East Cocalico Township, **Lancaster County**. This commercial baking operation is a Pa. Code Title V facility. No emission increases are expected from this modification. The plan approval will include monitoring, testing, record keeping and reporting requirements designed to keep the source operating within all applicable air quality requirements.

**36-05092: Greiner Industries, Inc.** (1650 Steel Way, Mount Joy, PA 17552-9515) for construction of three new spray-paint bays controlled by dry filters in Mount Joy Township, **Lancaster County**. This steel fabrication plant is a Pa. Code Title V (State only) facility. The new spray-paint bays will result in estimated emissions of 16.19 tons per year of Volatile Organic Compounds, 8.86 tons per year of combined Hazardous Air Pollutants and 11.79 tons per year of particulate matter. Greiner Industries has emission caps for less than 50 tons per year of VOCs, 25 tons per year of HAPs and 100 tons per year of Particulates. The plan approval will include monitoring, record keeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481; Contact: Devendra Verma, New Source Review Chief, (814) 332-6940.*

**10-079B: BNZ Materials, Inc.** (191 Front Street, Zelenople, PA 16063) for installation of a wet scrubber at their plant in Zelenople, **Butler County**. The facility currently has a Title V permit No. 10-00079. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date. This installation will result in no change in emissions.

---

#### PUBLIC HEARINGS

---

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110; Contact: Leif Ericson, Program Manager, (717) 705-4702.*

**22-05007: The Harrisburg Authority** (1670 South 19th Street, Harrisburg, PA 17104) for modification and operation of the Harrisburg Materials, Energy, Recycling and Recovery Facility in the City of Harrisburg, **Dauphin County**.

Plan Approval No. 22-05007 authorizes physical modifications that will limit the capacity of each of the two existing combustor units to less than 250 tons per day of municipal waste. The plan approval will include conditions for shakedown and testing of the de-rated combustors.

The plan approval will include the following conditions for operating and testing of the de-rated combustors as well as monitoring of their performance and record keeping:



*Conditions***General Requirements**

1. The Harrisburg Materials, Energy, Recycling and Recovery Facility is to be modified in accordance with the plans submitted with the application (as herein approved).

2. This plan approval authorizes temporary operation of the sources covered by this Plan Approval provided the following conditions are met:

a. The Department must receive written notice from The Harrisburg Authority of the completion of construction and The Harrisburg Authority's intent to commence operation at least 5 working days prior to the completion of construction. The notice must state when construction will be completed and when The Harrisburg Authority expects to commence operation (progress reports, and the like)

b. Operation is authorized only to facilitate the start-up and shakedown of sources and air cleaning devices, to permit operations pending the issuance of an Operating Permit or to permit the evaluation of the sources for compliance with all applicable regulations and requirements.

c. This condition authorizes temporary operation of the sources for a period of 180 days from the date of commencement of operation, provided the Department receives notice from The Harrisburg Authority under subpart a.

d. The Harrisburg Authority may request an extension if compliance with all applicable regulations and Plan Approval requirements has not been established. The extension request shall be submitted in writing at least 15 days prior to the end of this period of temporary operation and shall provide a description of the compliance status of the sources, a detailed schedule for establishing compliance and the reasons compliance has not been established.

e. The notice submitted by The Harrisburg Authority under subpart a., prior to the expiration of this Plan Approval, shall modify the plan approval expiration date. The new plan approval expiration date shall be 180 days from the date of the commencement of operation.

3. The HMERRF is subject to portions of 40 CFR Part 60, Subpart Cb—Emission Guidelines for Municipal Waste Combustors and portions of the related Subpart Eb—Standards of Performance for Large Municipal Waste Combustors. Copies of all requests, reports, applications, submittals and other communications shall be forwarded to both the Department and EPA.

4. All correspondence to the Department and EPA shall be addressed to:

Leif Ericson	Director
Air Quality Program	Air Protection Division
Manager	U.S. EPA Region III
Southeastern Regional	1650 Arch Street
Office	Philadelphia, PA
909 Elmerton Avenue	19103-2029
Harrisburg, PA 17110	

5. Within 120 days after the date of this approval, the permittee shall submit a Title V operating permit application to the Department in accordance with 25 Pa. Code Chapter 127, Subchapters F and G.

6. The permittee shall cease operation of the waste combustor units no later than midnight June 18, 2003,

unless otherwise approved by the Department and retrofitted with all necessary emissions control equipment capable of meeting all of the applicable requirements of 40 CFR 60 Subpart Cb.

**Definitions**

7. The following definitions apply to the provisions of this plan approval:

*Four-Hour Block:* refers to the arithmetic average of four consecutive hourly averages measured over the 4-hour time periods from 12 a.m. to 4 a.m.; 4 a.m. to 8 a.m.; 8 a.m. to 12 p.m.; 12 p.m. to 4 p.m.; 4 p.m. to 8 p.m.; and 8 p.m. to 12 a.m..

*24-Hour Block:* refers to the 24 hour period rolling arithmetic averaging period calculated from the 6 preceding 4-hour block averaging periods.

*245 TPD Steam Limit:* refers to the 54,189 lbs/hour of steam which is the steam flow calculated by the applicant as corresponding to 245 tons per day waste feed rate averaged over any 24-hour block for each waste combustor unit as verified by testing.

*250 TPD Steam Limit:* refers to the 55,295 lbs/hour of steam which is the steam flow calculated by the applicant as corresponding to 250 tons per day waste feed rate averaged over any 4-hour block for each waste combustor unit as verified by testing.

*Monitoring Equipment:* refers to all equipment and instrumentation necessary to determine process variables including, without limitation, devices to measure steam flow, temperatures, carbon monoxide (CO) and oxygen levels, fan amperage, computer systems, electronics and other parameters.

*Startup* commences with the introduction of municipal waste into the empty combustor unit.

*Shutdown* commences with the cessation of charging of the combustor with municipal waste for the express purpose of shutting down the combustor unit.

*Steam interlock system* refers to technology that automatically stops waste charging to the combustors when the monitored steam flow exceeds the values corresponding to the waste feed limits previously specified.

*Programmable logic control system* is the electronic hardware and computer software elements integral to the steam interlock system.

**Operating Requirements**

8. The municipal waste combustor units shall be operated and maintained in accordance with good air pollution prevention practices or control practices.

9. The permittee shall install, maintain and operate equipment and instrumentation necessary to determine process variables and to demonstrate compliance with the provisions of this plan approval or subsequent operating permits.

10. The Department shall control access to the facility's programmable logic control system. The permittee shall provide justification and notify the Department in writing at least 24 hours in advance of any requested access to the system.

11. Any modification of the steam interlock control program requires the written approval of both the Department and the EPA. All requests for modifications shall be submitted in writing with justification to both agencies.

12. The facility director, operations supervisor and all shift supervisors shall obtain and keep current either an ASME provisional or operator certification.

13. Neither waste combustor unit shall be operated without an individual bearing either an ASME provisional or operator certification on-site.

14. Neither combustor shall be operated in excess of the 245 TPD steam limit as defined in Condition 7.

15. Neither combustor shall be operated in excess of the 250 TPD steam limit as defined in Condition 7.

#### Testing Requirements

16. The permittee shall conduct stack emission testing on each waste combustor unit according to the schedule specified in Paragraph 11 of the January 9, 2001, Consent Order and Agreement between the Department and the City.

17. The previous testing is required under the January 9, 2001, Consent Order and Agreement to determine the dioxin/furan, particulate matter, carbon monoxide, lead, cadmium, mercury and nitrogen oxides emissions and inlet temperatures for each electrostatic precipitator control device. All testing shall be conducted in accordance with 40 CFR Part 60, Appendix A and 25 Pa. Code Chapter 139 as follows:

a. Each unit being tested shall be operated at 80% to 100% of the 245 TPD steam limits using waste representative of the waste normally fired, without any segregation or separation

b. Dioxin/furan—EPA Method 23

c. PM—EPA Method 5

d. Visible emissions—EPA Method 9

e. Carbon monoxide—EPA Method 10, 10A or 10B

f. Cadmium, lead and mercury—EPA Method 29

g. Nitrogen oxides—EPA Method 7E

18. Each IBW/Martin municipal waste combustor is subject to a maximum NO<sub>x</sub> emission limit of 300 ppm, dry volume, corrected to 7% oxygen. NO<sub>x</sub> emissions shall be verified annually by stack testing as previously defined.

19. At least 45 days prior to each stack test, the permittee shall submit a test protocol to the Department and EPA.

20. The permittee shall notify the Department and EPA at least 7 days prior to each test.

21. The following operating information shall be submitted for each test period:

a. Municipal solid waste feed rate in tons per hour

b. Boiler steam flow in pounds per hour, temperature in degrees Fahrenheit and pressure in pounds per square inch gage

c. Boiler oxygen value in percent

d. Boiler furnace temperature in degrees Fahrenheit

e. ESP inlet (economizer outlet) temperature in degrees Fahrenheit

f. Boiler carbon monoxide value at ESP outlet in ppmv @ 7% oxygen

g. Forced draft fan and overfire air fan amperage and discharge pressures in amps and inches water column

22. The permittee shall submit a summary of the emission test results for dioxin/furan, particulate matter, visible emissions, lead, cadmium, mercury, nitrogen oxides and carbon monoxide to the Department and EPA within 45 days of completion of each stack test.

23. The permittee shall submit a complete test report, including all information described in Conditions Nos. 17 and 21 to the Department and EPA within 60 days of completion of each stack test.

24. The permittee shall comply with all applicable performance and testing procedures and monitoring requirements set forth in 40 CFR 60.38(b) of Subpart Cb and 40 CFR 60.58b(c), (d), (g) and (i)(6) and (7) or other equipment methods approved by the Department. The provisions of 40 CFR 60.58b(c)(8)-(11) and 60.58b(g)(5) and (6) and 60.58d(2)(v) are not applicable procedures for purposes of this plan approval.

#### Conditional Requirements

25. If stack test results indicate that dioxin/furan emissions from either combustor unit have exceeded 1,500 ng/dscm during any test, the permittee shall institute the following measures:

a. conduct a bimonthly stack test of the units which exceeded 1,500 ng/dscm according to the Testing Requirements section of this permit until a time the permittee can demonstrate dioxin/furan concentrations of 1,500 ng/dscm or less for two consecutive bimonthly stack tests

b. conduct monthly inspections and repairs of these areas for the associated boilers

- |                              |                                     |
|------------------------------|-------------------------------------|
| (1) sifting valves           | (6) vibration pan seal and doors    |
| (2) front boiler door panels | (7) air pre-heater seals            |
| (3) boiler inspection ports  | (8) ESP seals                       |
| (4) quench basins            | (9) expansion joints                |
| (5) MSW feed chutes          | (10) boiler/stoker connection seals |

The bimonthly stack testing is in addition to testing referenced in Condition No. 16.

26. If stack test results indicate that dioxin/furan emissions from either combustor unit have exceeded 1,500 ng/dscm during any test, the Department specifically and expressly reserves the right to require additional measures with respect to dioxin/furan emissions. These measures include, without limitation, the right to deny, suspend or revoke any approval or permit and the right to order cessation of the units.

27. Subsequent to the first dioxin/furan test required by this permit, the ESP inlet (economizer outlet) temperature for each unit shall not exceed by 30 degrees Fahrenheit the highest 4-hour block arithmetic average flue gas temperature measured at the ESP inlet during 4 consecutive hours of each stack test required under Condition No. 18 and demonstrating compliance with the applicable dioxin/furan limit of 1,500 ng/dscm at 7% oxygen, total mass.

Until the ESP inlet (economizer outlet) temperature is established during testing, the temperature limit is 600 degrees Fahrenheit.

28. In the event the ESP inlet (economizer outlet) temperature exceeds the previous limits, the permittee shall slow the waste feed to reduce the temperature below the applicable limit and shall implement the procedures in the revised Operational and Maintenance Manual.

29. In the event the ESP inlet (economizer outlet) temperature does not drop below the previous limit after any two 4-Hour Blocks, which occur in a 24 hour period, the permittee shall immediately cease feeding waste, begin visual inspection of the baffle walls and conduct the following:

a. Check the flue gas pressure drop across the economizer against values recorded previously at similar loads when the economizer outlet temperature remained below the previous limits; in the event of an increase in pressure drop of more than 1/2 inch in water gage, thoroughly clean the economizer section.

b. Compare the difference between furnace temperature and economizer inlet temperature to levels recorded previously at similar loads when the economizer outlet temperature remained below the limit in this paragraph. Routinely inspect the refractory baffle wall and the metal division wall during off-line cleaning to assure that they are still intact and conduct off-line cleaning.

30. If the ESP temperature data is unavailable and cannot be restored within 4 hours, the permittee will cease feeding waste to the combustor units until the ESP inlet temperature is restored, unless the permittee takes manual temperatures, takes the economizer inlet temperature and repairs the system within 24 hours or the next business day.

#### Monitoring Requirements

31. The permittee shall provide a single dedicated dial-up modem accessible to the Department and EPA with remote access to monitor operating system parameters as follows:

a. remote access shall be operable and available to the Department and EPA until midnight on June 18, 2003

b. the system shall monitor these parameters:

actual furnace temperature	carbon monoxide
steam flow set point	oxygen
steam flow	ESP inlet temperature
an indicator of feeder operation	average steam flow

c. data shall be available on a real-time basis and a 30 day historical basis; trend charts shall indicate any exceedances of the 245 TPD and 250 TPD steam limits.

32. The permittee shall maintain and operate a steam interlock control system to ensure that waste charging does not exceed the applicable steam flow limit for each unit referenced in Conditions Nos. 14 and 15.

#### Recordkeeping and Reporting

33. The permittee shall report exceedances of each unit's 245 TPD-equivalent steam limit to the Department and EPA within 24 hours or the next business day. The permittee shall provide a written description of each exceedance, its cause and the corrective measures taken to the Department and EPA within 10 days.

34. The permittee shall observe the following procedures for exceedances of each unit's 250 TPD-equivalent steam limit:

a. immediately cease feeding waste to the units

b. report each exceedance to the Department and EPA within 24 hours or the next business day

c. provide a written description of each exceedance, its cause and the corrective measures taken to the Department and EPA within 10 days

d. not restart the unit unless the Department determines that the unit is physically limited to operating at the 250 TPD-equivalent steam limit

35. In addition to the records required under 25 Pa. Code § 129.95, the permittee shall maintain records of the following for each municipal waste combustor:

a. Tons of municipal waste combusted and steam produced per day

b. Hours of operation

c. Summary of maintenance performed on the combustors, control devices and monitoring devices

d. Duration of all start-ups, shutdowns and malfunctions of the combustors, control devices and monitoring devices

e. Testing, calibration, adjustments and maintenance of all continuous monitoring devices

36. No later than 21 days after the end of each calendar month, the permittee shall submit a report containing, but not limited to, the information referenced in Condition No. 35 to the Department.

37. All records required by this operating permit shall be maintained onsite for the most recent 5-year period and made available to Department representatives upon request.

Operating Permit No. 22-05007 will provide for the derated operation of the combustors and will include conditions for compliance monitoring and ongoing testing of the de-rated units. Operation of the waste combustors beyond June 18, 2003 is contingent upon compliance with the applicable requirements of 40 CFR 60, Subpart Cb—Emissions Guidelines and Compliance Times for Large Municipal Waste Combustors.

A public hearing will be held for the purpose of receiving comments on the proposed actions. The hearing will be held on September 25, 2001, at the Community Life Building, 1119 South Cameron Street, Harrisburg, PA 17103 from 7 p.m. until all scheduled comments on the proposed action are received.

Those wishing to comment are requested to contact Sandra Roderick at (717) 705-4931 at least 1 week in advance of the hearing to schedule their testimony. Commentators are requested to provide two written copies of their remarks at the time of the hearing. Oral testimony will be limited to a maximum of 10 minutes per individual. Organizations are requested to designate an individual to present testimony on behalf of the organization.

#### OPERATING PERMITS

##### Intent to Issue Title V Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701; Contact: Muhammad Zaman, Facilities Permitting Chief, (570) 327-3637.*

**19-00003: Bloomsburg University** (400 East Second Street, Bloomsburg, PA 17815) for their state university in Bloomsburg, **Columbia County**. The facility's major air contamination sources are five anthracite coal fired boilers used to provide steam and heat for the entire university campus. This facility has the potential to emit major quantities of Nitrogen Oxides (NO<sub>x</sub>), Particulate Matter (PM) and Sulfur Oxides (SO<sub>x</sub>). As a result of the potential emissions, the facility is a major stationary

source as defined in Title I, Part D of the Clean Air Act Amendments. The facility is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G. The facility has taken restriction on fuel throughput to limit Nitrogen Oxide emissions below major emission thresholds and avoid Reasonably Available Control Technology (RACT) requirements for NO<sub>x</sub> emissions. The facility has the potential to emit Carbon Monoxide (CO), Hazardous Air Pollutants (HAPS) and volatile organic compounds (VOCs) below the major emission thresholds. This Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**53-00005: Dominion Transmission Corp.—Greenlick Station** (625 Liberty Avenue, Pittsburgh, PA 15222-3199) for their Natural Gas Transmission facility in Stewardson Township, **Potter County**. The Title V Operating Permit revision is to incorporate conditions from Plan Approval 53-0003B for operation of a 26.5 MMBtu/hr natural gas pipeline heater. The installation of the heater increases the facility's potential to emit nitrogen oxides by 4.20 tons per year, carbon monoxide by 42.18 tons per year and volatile organic compounds by 6.61 tons per year. This Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**Intent to Issue Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.**

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790; Contact: James Parette, New Source Review Chief, (570) 826-2531.*

**35-00015: Metso Paper USA, Inc.** (P. O. Box 155, Ivory Industrial Park, Clarks Summit, PA 18411) for a Synthetic Minor Operating Permit for their fabricated rubber products operations in South Abington Township, **Lackawanna County**.

**48-00048: Dent Manufacturing, Inc.** (P. O. Box 470, Northampton, PA 18067) for a Synthetic Minor Operating Permit for their hardware manufacturing operations in Northampton Borough, **Northampton County**.

**35-00038: Lockheed Martin Tactical Defense Systems** (Kennedy Drive, Archbald, PA 18403) for a Natural Minor Operating Permit for their operations in Archbald Borough, **Lackawanna County**.

**54-00023: The Miller Group, Inc.** (P. O. Box 348, 250 Route 61, Schuylkill Haven, PA 17972) for a Natural Minor Operating Permit for their textile mill operations in North Manheim Township, **Schuylkill County**.

**13-00011: Prince Manufacturing Co., Inc.** (700 Lehigh Street, Bowmanstown, PA 18030) for a Synthetic Minor Operating Permit for their operations in Bowmanstown Borough, **Carbon County**.

**35-00042: Scranton Sewer Authority** (307 North Washington Avenue, Scranton, PA 18503) for a Synthetic Minor Operating Permit for their Wastewater Treatment Plant operations in the City of Scranton, **Lackawanna County**.

**35-00036: Taylor Chemical** (Stauffer Industrial Park, Taylor, PA 18504) for a Natural Minor Operating Permit for Chemical Manufacturing operations in Taylor Borough, **Lackawanna County**.

**45-00023: Bustin Industrial Products, Inc.** (401 Oak Street, East Stroudsburg, PA 18301) for a Synthetic

Minor Operating Permit for their operations in East Stroudsburg Borough, **Monroe County**.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110; Contact: Ronald Davis, New Source Review Chief, (717) 705-4702.*

**36-03038: Evans Eagle Burial Vaults, Inc.** (15 Graybill Road, Leola, PA 17540) for the operation of a cremation chamber in Upper Leacock Township, **Lancaster County**. The primary emissions from the cremation chamber are nitrogen oxides and particulate matter. The potential-to-emit nitrogen oxides are 2 tons per year and particulate matter is about 850 lbs per year. The permit will contain additional record keeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**22-03046: Handwerk Materials, Inc.** (2052 Lucon Road, Skippack, PA 19474-0196) for the operation of a limestone quarry in Lower Swatara Township, **Dauphin County**. The primary emission is particulate matter. The potential-to-emit particulate matter, after control, is about 9 tons per year. The permit will contain additional record keeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; Contact: William Charlton, New Source Review Chief, (412) 442-4174.*

**04-00708: Arrow Terminals L.P.** (2701 Midland-Beaver Road, Industry, PA 15052) for operation of the Screening Plant at Industry Terminal Lot #2 in Industry Borough, **Beaver County**.

**11-00414: Senate Coal Mines, Inc.** (One Energy Place, Suite 5100, Latrobe, PA 15650) for operation of Coal Refuse Reprocessing at St. Michael Pile in Adams Township, **Cambria County**.

**32-00358: Dominion Exploration & Production, Inc.** (303 Airport Professional Center, Indiana, PA 15701) for operation of a Compressor Engine at Winsheimer Compressor Station in Center Township, **Indiana County**.

**04-00712: Arrow Terminals, L.P.** (2701 Route 68 West, Industry, PA 15052) for the operation of Ferroalloy Processing Plant at Industry—Lot #3 in Industry Borough, **Beaver County**.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481; Contact: Devendra Verma, New Source Review Chief, (814) 332-6940.*

**43-00321: Northeast Industrial Manufacturing, Inc.** (640 Keystone Road, Greenville, PA 16125) for a Natural Minor Permit to operate a surface coating facility in Hempfield Township, **Mercer County**.

**25-00720: Erie Advanced Manufacturing Co., Inc.** (3150 West 22nd Street, Erie, PA 16506) for a Natural Minor Permit to operate a controlled pyrolysis cleaning furnace at the Plant 1 powder coating facility in Millcreek Township, **Erie County**.

**10-00065: Allegheny Mineral Corp.—Harrisville Plant** (133 Campground Road, Harrisville, PA 16038) for a Synthetic Minor Permit to operate a stone, quarrying and processing plant in Mercer Township, **Butler County**.

## MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the

Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to the applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (Department). A copy of the application is available for inspection at the District Mining Office indicated before each application. Where a 401 Water Quality Certification is needed for any aspect of a particular proposed mining activity, the submittal of the permit application will serve as the request for certification.

Written comments or objections, or requests for informal conferences on applications, may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the same address within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34 (relating to public notices of filing of permit applications, opportunity for comment and informal conferences).

Where any of the mining activities listed will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. NPDES permits will contain, at a minimum, technology-based effluent limitations (as described in the Department's regulations—25 Pa. Code §§ 77.522, 87.102, 88.92, 88.187, 88.242, 89.52 and 90.102) for iron, manganese, suspended solids, settleable solids, alkalinity and pH. In addition to the previous, more restrictive effluent limitations, restrictions on discharge volume, or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit, when necessary, for compliance with water quality standards (in accordance with 25 Pa. Code Chapters 93 and 95). Persons or agencies which have requested review of the NPDES permit requirements for a particular mining activity within the previously-mentioned public comment period will be provided with a 30-day period to review and submit comments on those requirements.

Written comments or objections should contain the name, address and telephone number of persons submitting comments or objections; application number; and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based. Requests for an informal conference must contain the name, address and telephone number of requestor; application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

#### *Coal Applications Received*

*Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209.*

**17010110. River Hill Coal Co., Inc.** (P. O. Box 141, Kylertown, PA 16847), commencement, operation and

restoration of a bituminous surface mine-auger permit in Bigler Township, **Clearfield County** affecting 320 acres. Receiving stream—Upper Morgan Run and unnamed tributaries to Upper Morgan Run. Application received: July 27, 2001.

*Greensburg District Mining Office: Armbrust Building, R. R. 2 Box 603-C, Greensburg, PA 15601-0982.*

**30010102. Coresco, Inc.** (P. O. Box 1209, Morgantown, WV 26507). Application received for commencement, operation and reclamation of a bituminous surface mining site located in Dunkard Township, **Greene County**, affecting 169.0 acres. Receiving streams: unnamed tributaries to Dunkard Creek, to Dunkard Creek, to Monongahela River. Application received: July 24, 2001.

**26-01-03. Joseph Rostosky Coal Company** (2578 Country Lane, Monongahela, PA 15063). Government Financed Construction Contract received in Franklin Township, **Fayette County**, affecting 6.5 acres. Receiving stream: unnamed tributary to Bolden Run. Application received: July 30, 2001.

**03970101. Thomas J. Smith, Inc.** (R.D. 1, Box 260d, Shelocta, PA 15774). Renewal application received for reclamation of a bituminous surface mine located in Bradys Bend Township, **Armstrong County** affecting 74.9 acres. Receiving streams: unnamed tributaries to Snyders Run and Allegheny River. Renewal application received: August 6, 2001.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931.*

**56900109.** Permit Renewal, **PBS Coals, Inc.** (P. O. Box 260, Friedens, PA 15541), for continued operation of a bituminous surface mine in Quemahoning & Somerset Townships, **Somerset County**, affecting 48.2 acres, receiving stream receiving stream Wells Creek. Application received: July 30, 2001.

**56840107.** Permit Renewal for reclamation only, **NSM Coals, Inc.** (P. O. Box 260, Friedens, PA 15541), for continued restoration of a bituminous surface mine in Stonycreek Township, **Somerset County**, affecting 407.4 acres, receiving stream unnamed tributary to Clear Run, Clear Run to Indian Lake. Application received: July 30, 2001.

**11990102.** Permit Revision, **Laurel Energy, L.P.** (One Energy Place, Suite 7500, Latrobe, PA 15650), request for a stream encroachment to utilize an existing road for haul road activity within 100' of two unnamed tributaries to South Fork Branch of Little Conemaugh River. The variance for haul road activity within 100 feet of the tributaries is as follows:

1. A stream crossing of unnamed tributary "D" approximately 450 feet upstream of its confluence with South Fork Branch of Little Conemaugh River.

2. A stream crossing of unnamed tributary "C" approximately 550 feet upstream of its confluence with South Fork Branch of Little Conemaugh River.

3. Utilize an existing haul road within 100 feet along portions of unnamed tributary "C" beginning at the stream crossing 550 feet upstream of the confluence with the South Fork Branch of Little Conemaugh River and continuing upstream for a distance of approximately 2150 feet. in Adams and Conemaugh Townships; South Fork Borough, Cambria County, affecting 469.9 acres, receiving stream Little Conemaugh River, Bear Run. Application received: August 2, 2001.

*McMurray District Mining Office: 3913 Washington Road, McMurray, PA 15317.*

**56733702. Penn Coal Land, Inc.**, (P. O. Box 68, Boswell, PA 15531), to transfer the permit for the Warnick CRDA in Jenner Township, **Somerset County** to transfer from M. F. Land, Inc., unnamed tributary to North Branch Quemahoning. Application received: May 9, 2001.

**63831601. Champion Processing, Inc.**, (P. O. Box 1073, Coraopolis, PA 15108), to renew the permit for the Champion Prep. Plant in Robinson and North Fayette Townships, **Washington** and **Allegheny Counties**, renewal request NPDES to Little Raccoon Run, Little Raccoon Run. Application received: June 25, 2001.

**30841307. RAG Emerald Resources, L.P.**, (P. O. Box 1020, 158 Portal Rd., Waynesburg, PA 15370), to revise the permit for the Emerald Mine in Whiteley Township, **Greene County** to add the No. 6 Bleeder Shaft, unnamed tributary to Dyers Fork. Application received: July 20, 2001.

*Knox District Mining Office: White Memorial Building, P. O. Box 669, Knox, PA 16232-0669.*

**10950106. Ben Hal Mining Company** (389 Irishtown Road, Grove City, PA 16127) Renewal of an existing bituminous surface strip and auger operation in Muddy Creek Township, **Butler County** affecting 72.9 acres. Receiving streams: unnamed tributary of Little Yellow Creek. Application for reclamation only. Application received: July 26, 2001.

**24010903. Tamburlin Brothers Coal Co., Inc.** (P. O. Box 1419, Clearfield, PA 16830). Commencement, operation and restoration of an incidental coal extraction operation in the City of St. Marys, **Elk County** affecting 3.95 acres. Receiving streams: unnamed tributary of West Creek and unnamed tributary to Elk Creek. Application received: July 30, 2001.

**33950106. Urey Coal Company** (6015 Ferguson Road, Indiana, PA 15701). Renewal of an existing bituminous strip operation in Perry Township, **Jefferson County** affecting 148.4 acres. Receiving streams: unnamed tributary to Mahoning Creek, unnamed tributary to Sawmill Run, unnamed tributary to Rose Run. Application received: August 1, 2001.

**37010103. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Commencement, operation and restoration of a bituminous surface strip and auger operation in New Beaver Borough and Little Beaver Township, **Lawrence County** affecting 53.9 acres. Receiving streams: unnamed tributaries to Beaverdam Run. Application received: July 30, 2001.

*Noncoal Applications Received*

*Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209.*

**08010815. Robin Long** (R. D. 2, Box 2466, Laceyville, PA 18623), commencement, operation and restoration of a Small Industrial Minerals (Flagstone) permit in Wilmot Township, **Bradford County** affecting 5 acres. Receiving stream—Sugar Run Creek, tributary to Susquehanna River. Application received: July 9, 2001.

**53010805. Harriet Winseck** (65 W. Carley Hill Road, Roulette, PA 16746). Supersedes 53960806, Carroll M. Winseck, Sr. Commencement, operation and restoration of a Small Industrial Minerals (Flagstone) permit in Clara Township, **Potter County** affecting 1 acre. Receiving

stream—Fishing Creek, tributary to Fishing Creek. Application received: July 10, 2001.

**59010801. Gra-Hill Construction, Inc.** (R. R. 5, Box 302, Wellsboro, PA 16901), commencement, operation and restoration of a Small Industrial Minerals (Sand & Gravel) permit in Delmar Township, **Tioga County** affecting 2 acres. Receiving stream—unnamed tributary, tributary to Marsh Creek. Application received: July 11, 2001.

**08010816. Konstantinos Economou** (1321 Deer Run Road, Hatfield, PA 19440), commencement, operation and restoration of a Small Industrial Minerals (Flagstone) permit in Stevens Township, **Bradford County** affecting 1 acre. Receiving stream—Cold Creek, tributary to Wyalusing Creek. Application received: July 13, 2001.

**08010817. Henry and Martha Meglich** (R. R. 1, Box 99A, Stevensville, PA 18845), commencement, operation and restoration of a Small Industrial Minerals (Bluestone) permit in Stevens Township, **Bradford County** affecting 3 acres. Receiving stream—unnamed tributary to Cold Creek. Application received: July 13, 2001.

**59010802. Steve Hanes** (209 Harvey Avenue, Westfield, PA 16950), commencement, operation and restoration of a Small Industrial Minerals (Gravel) permit in Westfield Township, **Tioga County** affecting 1 acre. Receiving stream—Cowanesque River, tributary to Susquehanna River. Application received: July 19, 2001.

**08010818. Kenneth Shedden** (R. R. 1, Box 97F, Leraysville, PA 18829), commencement, operation and restoration of a Small Industrial Minerals (Flagstone) permit in Asylum Township, **Bradford County** affecting 2 acres. Receiving stream—none, tributary to Durell Creek. Application received: July 24, 2001.

*Noncoal Applications Returned*

*Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209.*

**08010804. Keith Johnson and Terry Johnson** (R. R. 2, Box 178, Wyalusing, PA 18853), commencement, operation and restoration of a Small Industrial Minerals (Flagstone) permit in Monroe Township, **Bradford County** affecting 2 acres. Receiving stream—none. Application received: March 15, 2001. Application returned: July 31, 2001.

*McMurray District Mining Office: 3913 Washington Road, McMurray, PA 15317.*

**Notice of Final Action on Request for Certification Under Section 401 of the Federal Clean Water Act and Waiver of Permit under Dam Safety and Encroachment Act**

The Department of Environmental Protection (Department), under section 401(a) of the Federal Clean Water Act (33 U.S.C.A. § 1341(a)), certifies that the construction and operation herein described will comply with the applicable provisions of sections 301—303, 306 and 307 of that Act and that the construction will not violate applicable Federal and State water quality standards, provided that Consolidation Coal Company (Consol) complies with the provisions of the July 23, 2001, Consent Order and Agreement between the Department and Consol. In addition, the Department waives the requirement for a permit under the Pennsylvania Dam Safety and Encroachments Act (35 P. S. §§ 693.1—693.27).

Any person aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's Rules of Practice and Procedure, may be obtained from the Board. The appeal form and the Board's Rules and Practice and Procedure are also available in Braille or on audio tape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

*DEP Reviewing Office:* McMurray District Mining Office, 3913 Washington Road, McMurray, PA 15317.

*Certification Request Initiated by:* Consolidation Coal Company, 1800 Washington Road, Pittsburgh, PA 15241.

*Date of Initial Pennsylvania Bulletin Notice:* June 19, 1999

*Project Description:* Consol proposes to construct and maintain passive treatment facilities in approximately 21 acres of existing wetlands (PEM) to treat mine drainage that currently flows into the wetlands from the former Hutchinson and Angelcyk Mines. The proposed project will enhance the existing wetlands with recontouring and berm construction to increase detention time and thereby to improve the quality of the discharges to Little Sewickley Creek (TSF). The existing wetlands which are to be enhanced were created and are sustained by the discharges from abandoned Pittsburgh and Redstone coal seam mines.

*Location:* The site is located approximately 0.5 mile east of Cowansburg (Irwin, PA Quadrangle N: 05 inch; W: 17.0 inches) (the discharge from the wetland is located at Latitude 40°15'07" Longitude 79°45'00") in Sewickley Township, Westmoreland County.

#### FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications and requests for Environmental Assessment approval and requests for Water Quality Certification have been received by the Department of Environmental Protection. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341(a)), requires the State to certify that the involved projects will not violate the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Initial requests for 401 Water Quality Certification will be published concurrently with the permit application. Persons objecting to approval of a request for certification under section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of

comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between the hours of 8 a.m. and 4 p.m. on each working day at the office noted before the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

---

**Applications received under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and Requests for Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).**

---

### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Southeast Region: Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

**E51-190. Sun Pipe Line Company**, #4 Hog Island Road, North Pier, Philadelphia, PA 19153, City of Philadelphia, **Philadelphia County**, ACOE Philadelphia District.

To perform maintenance work along a 25-foot reach of two 24-inch existing Sun Pipe Lines. The utility lines convey crude oil across the John Heinz National Wildlife Refuge from the Hog Island Wharf to the Darby Creek Tank Farm. The project area will have a disturbance to 0.06 acre of wetlands immediately adjacent John Heinz National Wildlife Refuge impoundment along Darby Creek (WWF-MF). The project site is located 2,000 feet southwest of the intersection of 86th Street and Lyons Street (Lansdowne, PA Quadrangle N: 1.85 inches; W: 0.78 inch).

**E51-191. City of Philadelphia**, Dept of Streets, Bridge Unit, 830 Municipal Services Building, 1401 JFK Boulevard, Philadelphia, PA 19102, **Philadelphia County**, ACOE Philadelphia District.

To replace, construct and maintain the Germantown Avenue Bridge crossing the Wissahickon Creek (TSF). The project involves the removal of the existing 9-span concrete T-beam bridge. The bridge replacement is part of a larger project to rehabilitate Germantown Avenue from Northwestern Avenue to Hillcrest Avenue. The proposed bridge will be a 3-span, continuous steel I-beam bridge. It will be approximately 313 feet long, consisting of three continuous spans of approximately 102 feet, 109 feet and 102 feet respectively. The proposed bridge will contain an associated stormwater management drainage-way and outfall and will include pedestrian sidewalks on the east and west side. The bridge will be shifted approximately 75 feet upstream from where it is presently located. The shifting of the bridge will alleviate the sharp curve and facilitate better traffic patterns. The project site is located

100 feet southeast of the intersection of Northwestern Avenue and Germantown Avenue (Germantown, PA Quadrangle N: 15.3; W: 14.4).

**E15-672. West Vincent Associates**, 707 Eagleview Road, Box 562, Exton, PA 19341, West Vincent Township, **Chester County**, ACOE Philadelphia District.

To install and maintain four utility line crossings of an unnamed tributary of Birch Run Creek (EV), associated with the Weatherstone Development. The utilities will be placed in the bed of Fellowship Road and bored under an existing 30-inch RCP culvert. This site is located along Fellowship Road approximately 1,500 feet north of Conestoga Road (S.R. 0401), (Downingtown, PA Quadrangle N: 21.0 inches; W: 9.0 inches).

*Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701, (570) 327-3636.*

**E55-159. Pennsylvania Department of Transportation**, 715 Jordan Avenue, Montoursville, PA, 17754. Dry Run crossing, in Centre Township, **Snyder County**, ACOE Baltimore District (Middleburg, PA Quadrangle N: 16.5 inches; W: 6 inches).

The permit application proposes to remove the existing single span arch structure and replace it with a single span adjacent box beam concrete bridge. This structure is proposed to have a span of 40 feet and a design underclearance of 6.5 feet. This project also proposes to install a temporary roadway constructed of four 48 inch culvert pipes and associated fill. This project proposes to impact 140 linear feet of Dry Run, which is designated as a Cold Water Fishery and does not impact any wetlands.

*Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**E04-277. Beaver County**, 469 Constitution Boulevard, New Brighton, PA 15066-3105. Marion Township, **Beaver County**, ACOE Pittsburgh District.

To construct and maintain stream habitat enhancement, bank and channel stabilization and riparian buffers along 1,460 linear feet of Brush Creek (WWF) and to remove silt and gravel bars from the channel of said stream for the purpose of mitigation of stream impacts association with the Cranberry Interchange/I-79 Connector Project (DEP Permit No. E10-206) in Cranberry Township, Butler County. The project is located at Brush Creek Park, approximately 900 feet north from the intersection of Brush Creek and S.R. 588 (Zelienople, PA Quadrangle N: 6.5 inches; W: 15.5 inches).

**E30-200. Greene County**, 93 East High Street, Waynesburg, PA 15370. Cumberland Township, **Greene County**, ACOE Pittsburgh District.

To remove the existing County Bridge No. 13 and to construct and maintain a bridge having a normal clear span of 13.55 m and an underclearance of 2.33 m across Muddy Creek (WWF) located on T-660 (Dugan Hill Road) at a point approximately 110 m south of its intersection with S.R. 21 (Mather, PA Quadrangle N: 0.62 inch; W: 3.39 inches).

**E63-514. Washington County Planning Commission**, 100 West Beau Street, Suite 701, Washington, PA 15301. Buffalo Township, **Washington County**, ACOE Pittsburgh District.

To remove the existing bridge (Brownlee Bridge #38) and to construct and maintain a new bridge having a span of 65 feet with an underclearance of 15.0 feet across the channel of Buffalo Creek (HQ-WWF) for the purpose

of improving highway safety. The bridge is located on T-472, approximately 300 feet west from the intersection of T-472 and L.R. 62135 (Washington West, PA Quadrangle N: 0.2 inch; W: 16.8 inches).

*Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**E10-341. Northwest Savings Bank**, 108 Liberty Street, Warren, PA 16365. Northwest savings bank retaining wall along tributary to Little Buffalo Creek, in Buffalo Township, **Butler County**, ACOE Pittsburgh District (Freeport, PA Quadrangle N: 13.5 inches; W: 13.0 inches).

To construct and maintain a retaining wall, having a maximum height of 12 feet and associated fill within the left 50-foot floodway of a tributary to Little Buffalo Creek and a de minimis area (0.02 acre) of adjacent wetland, extending a total of approximately 250 feet downstream from S.R. 356, south of S.R. 2015 for construction of a Northwest Savings Bank building, associated driveway, parking lot, stormwater detention basin outfall and emergency spillway.

**E20-504. William M. Densmore**, 11393 North Shore Drive, Conneaut Lake, PA. Earthen Dock Rehabilitation, in Summit Township, **Crawford County**, ACOE Pittsburgh District (Harmonsburg, PA Quadrangle N: 2.9 inches; W: 7.6 inches).

To rehabilitate the existing concrete walls supporting an existing 40 ft. long by 10 ft. wide dock located approximately 0.76 mile northeast of Conneaut Lake Park at the northern end of Conneaut Lake.

**E20-506. Randolph Township**, 28631 Guys Mills Rd, Guys Mills, PA 16327. T-740 McFadden Road and T-756 Gilbert Road Across Woodcock Creek, in Randolph Township, **Crawford County**, ACOE Pittsburgh District.

To remove the existing culverts, backfill a scour hole extending approximately 100 feet downstream from the roadway with limestone riprap and to install and maintain twin 40-foot long, 112-inch wide by 75-inch high corrugated metal pipe arch culverts, including concrete block headwall, endwall and wingwalls in Woodcock Creek on T-740, McFadden Road approximately 0.2 mile south of S.R. 1018, Guys Mills Road (Townville, PA Quadrangle N: 3.6 inches; W: 10.5 inches).

To remove the existing culvert and to install and maintain a 40-foot long, 81-inch wide by 59-inch high corrugated metal pipe arch culvert with concrete block headwall, endwall and wingwalls in Woodcock Creek on T-756, Gilbert Road approximately 0.8 mile north of S.R. 198 (Townville, PA Quadrangle N: 3.6 inches; W: 9.35 inches).

**E42-282. Pennsylvania Department of Transportation**, Engineering District 2-0, 1924-30 Street, P. O. Box 342, Clearfield, PA. 16830-3226. S.R. 0219, Section C08, Bradford Bypass Extension, in Bradford Township, **McKean County**, ACOE Pittsburgh District (Bradford, PA Quadrangle N: 9.1 inches; W: 3.5 inches).

The project involves construction of earthen embankments and other structures within the 100-year floodplain and floodway of East Branch Tunungwant Creek and will impact 2.03 acres of existing wetlands for extension of the existing limited access highway including a two lane bridge structure and exit and entrance ramps. Project includes construction of 2.69 acres of replacement wetlands.



### ENVIRONMENTAL ASSESSMENT

*Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**EA10-017NW, Stream Restoration Incorporated**, 3016 Unionville Road, Cranberry Township, PA 16066. Erico Bridge Abandoned Mine Restoration Project, in Cranberry Township, **Butler County**, ACOE Pittsburgh District (Eau Claire, PA Quadrangle N: 0.25 inch; W: 15 inches).

To conduct the following activities associated with the abatement of numerous abandoned mine drainage seeps located at an approximately 20 acre site, 1.7 miles southeast of Murrinsville (intersection of Route 58 and Route 308):

1. To remove approximately 25,500 cubic yards of coal refuse and to construct and maintain a passive acid mine drainage treatment system including an anoxic limestone drain, a settling pond/wetland complex and a horizontal flow limestone bed within 50 ft of Seaton Creek (CWF) to treat discharges (300 gpm) contributing acidity, iron, manganese, sulfates and sediments to Seaton Creek, a tributary in the headwaters of Slippery Rock Creek (CWF).

2. To impact approximately 8 acres of degraded wetlands from the construction of the passive treatment system and from the removal of the coal refuse.

3. To create approximately 10 acres of wetlands within the passive treatment system and the footprint of the removed coal refuse.

To restore existing adjacent wetlands that have been impacted by the abandoned mine drainage.

### ACTIONS

#### FINAL ACTIONS TAKEN UNDER THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT—NPDES AND WQM PART II PERMITS INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

The Department of Environmental Protection (Department) has taken the following actions on previously received permit applications and requests for plan approval.

Persons aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

#### I. Municipal and Industrial Permit Actions under The Cleans Streams Law (35 P. S. §§ 691.1—691.1001).

*Southeast Region: Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

**NPDES Permit No. PA0031747**, Sewage, **Glen Mills School**, Glen Mills Road, Concordville, PA 19331.

This proposed facility is located in Thornbury Township, **Delaware County**.

Description of Proposed Action/Activity: Renewal of NPDES Permit to discharge into Chester Creek—3G.

**WQM Permit No. 2301407**, Sewerage, **Concord Township Sewer Authority**, 664 Concord Road, Glen Mills, PA 19342.

This proposed facility is located in Concord Township, **Delaware County**.

Description of Proposed Action/Activity: Construction and operation of a low-pressure sewer system to serve Kirkwood Glen Development.

**WQM Permit No. 2301403**, Sewerage, **Joyfor Joint Venture**, 1604 Walnut Street, Philadelphia, PA 19103.

This proposed facility is located in Newtown Township, **Delaware County**.

Description of Proposed Action/Activity: Construction of a sewage treatment plant to serve the Marville at Newtown Square Shopping Center.

*Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**NPDES Permit No. PA-0060020**, Sewage, **North American Medical Centers, Inc.**, HC 77, Box 379, Milford, PA 18337.

This proposed facility is located in Westfall Township, **Pike County**.

Description of Proposed Action/Activity: to Delaware River.

**NPDES Permit No. PA-0062286**, Sewage, **Diocese of Scranton**, Church of Saint Benedict, 301 State Street, Clarks Summit, PA 18411.

This proposed facility is located in Newton Township, **Lackawanna County**.

Description of Activity: discharge treated sewage to unnamed tributary to Gardner Creek.

**NPDES Permit No. PA-0041424**, Sewage, **Pocmont Hotels Corporation**, Bushkill, PA 18324.

This proposed facility is located in Lehman Township, **Pike County**.

Description of Proposed Action/Activity: NPDES permit renewal for treated sewage discharge into an unnamed tributary to Little Bushkill Creek.

**NPDES Permit No. PA-0029874**, Sewage, **Skytop Lodge Corporation**, 1 Skytop, Skytop, PA 18357.

This proposed facility is located in Barrett Township, **Monroe County**.

Description of Proposed Action/Activity: to renew NPDES Permit to discharge treated sewage into Leavitt Branch.

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4707.*

**WQM Permit No. 3801404**, Sewage, **Millcreek/Richland Joint Sewer Authority**, 2 North Race Street, Richland, PA 17087.

This proposed facility is located in Millcreek Township, **Lebanon County**.

Description of Proposed Action/Activity: Construction/Operation of Sewers and Appurtenances to serve Newburg Village.

**WQM Permit No. 3801401**, Sewage, **Mount Gretna Authority**, 101 Chautauqua Drive, Mount Gretna, PA 17064.

This proposed facility is located in South Londonderry Township, **Lebanon County**.

Description of Proposed Action/Activity: Modifications to the construction/operation of sewage treatment facilities.

**WQM Permit No. 3801405**, Sewage, **North Lebanon Township Municipal Authority**, 725 Kimmerlings Road, Lebanon, PA 17046.

This proposed facility is located in North Lebanon Township, **Lebanon County**.

Description of Proposed Action/Activity: Construction/Operation of Sewers, Appurtenances and Force Main.

**NPDES Permit No. PA0088684 and WQM Permit No. 3101401**, Sewage, **Pleasant Hills Campground**, Terry Henry, Box 86, Hesston, PA 16647-0086.

This proposed facility is located in Penn Township, **Huntingdon County**.

Description of Proposed Action/Activity: Authorization to discharge to UNT Hawns Run in Watershed 11-D and the construction/operation of Sewage Treatment Facilities.

**NPDES Permit No. PA0081302**, Sewage, **South Londonderry Township Municipal Authority**, P. O. Box 3, Campbelltown, PA 17010-0003.

This proposed facility is located in South Londonderry Township, **Lebanon County**.

Description of Proposed Action/Activity: Authorization to discharge to Spring Creek in Watershed 7-D.

**NPDES Permit No. PA0081264**, Sewage, **Mountain-view Thoroughbred Racing Association, Inc.**, P. O. Box 32, Grantville, PA 17028.

This proposed facility is located in East Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity: Authorization to discharge to UNT Swatara Creek in Watershed 7-D.

**NPDES Permit No. PA0040789**, Sewage, **J & A Mobile Home & Court**, Adele Britton, 3100 York Haven Road, Lot 44, Manchester, PA 17345.

This proposed facility is located in Newberry Township, **York County**.

Description of Proposed Action/Activity: Authorization to discharge to Conewago Creek in Watershed 7-F.

**NPDES Permit No. PA0088587**, Industrial Waste, **Containment Solutions, Inc.**, 201 North Fifth Ave., Lebanon, PA 17046.

This proposed facility is located in Lebanon City, **Lebanon County**.

Description of Proposed Action/Activity: Authorization to discharge to Quittapahilla Creek (via storm sewer) in Watershed 7-D.

**NPDES Permit No. PA0087378**, Industrial Waste, **Letterkenny Army Depot**, One Overcash Avenue, Building 365, Chambersburg, PA 17201-4150.

This proposed facility is located in Green Township, **Franklin County**.

Description of Proposed Action/Activity: Authorization to discharge to Rowe Run in Watershed 7-B.

**NPDES Permit No. PA0008893**, Industrial Waste, **Westvaco Corporation**, 1600 Pennsylvania Avenue, Tyrone, PA 16686.

This proposed facility is located in Tyrone Borough, **Blair County**.

Description of Proposed Action/Activity: Authorization to discharge to Bald Eagle Creek in Watershed 11-A.

**NPDES Permit No. PA0009288**, Industrial Waste, **Milton Hershey School**, 1201 Homestead Lane, Hershey, PA 17033.

This proposed facility is located in Derry Township, **Dauphin County**.

Description of Proposed Action/Activity: Authorization to discharge to UNT Spring Creek in Watershed 7-D.

**NPDES Permit No. PA0007773**, Industrial Waste, **Electroplaters of York, Inc.**, 209 East Willow Street, Wrightsville, PA 17368.

The proposed facility is located in Wrightsville Borough, **York County**.

Description of Proposed Action/Activity: Authorization to discharge to Susquehanna River in Watershed 7-I.

**NPDES Permit No. PA0009164**, Industrial Waste, **Standard Steel**, 500 North Walnut Street, Burnham, PA 17009.

The proposed facility is located in Burnham Borough, **Mifflin County**.

Description of Proposed Action/Activity: Authorization to discharge to Kishacoquillas Creek in Watershed 12-A.

*Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

**NPDES Permit No. PA0228125**, Industrial Waste 4911, **PPL Generation LLC**, Two North Ninth Street, Allentown, PA 18101-1179.

This proposed facility is located in Monroe Township, **Snyder County**.

Description of Proposed Action/Activity: Stormwater discharges from fly ash disposal basin that has been closed by PPL. Routine Renewal.

**NPDES Permit No. PA0209562**, Industrial Waste, 4953, **Eagle Environmental II, LP**, 11 New Street, Englewood Cliffs, NJ 07632.

This proposed facility is located in Chest Township, **Clearfield County**.

Description of Proposed Action/Activity: Discharge treated waste water to Chest Creek.

**WQM Permit No. 1798201**, Industrial Waste 4953, **Eagle Environmental II LP**, 11 New Street, Englewood Cliffs, NJ 07632.

This proposed facility is located in Chest Township, **Clearfield County**.

Description of Proposed Action/Activity: Treatment of wastewater discharge.

*Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**NPDES Permit No. PA0002208.** Industrial. **Zinc Corporation of America**, 300 Frankfort Road, Monaca, PA 15061-2295 is authorized to discharge from a facility located at Zinc Manufacturing Plant, Potter Township, **Beaver County** to receiving waters named the Ohio River (001, 002, 003, 004, 005, 007, 008, 009), Raccoon Creek (006) and Poorhouse Run (010).

**Permit No. 0301401.** Sewerage. **Borough of Apollo**, 405 North Pennsylvania Avenue, Apollo, PA 15613. Construction of Sanitary Sewer System located in Apollo Borough, **Armstrong County** to serve Apollo Borough.

**Permit No. 6501403.** Sewerage. **Kim and Diane Miller**, Route 2, Box 181, New Alexandria, PA 15670. Construction of 22 individual aerobic units, small diameter collection sewer, dosing tank, sand filter and disinfection system located in Salem Township, **Westmoreland County** to serve the Whitethorn subdivision.

*Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**NPDES Permit No. PA0210005,** Sewerage, **Daniel W. Daliman**, 608 Sharon-Bedford Road, West Middlesex, PA 16159-2623.

This proposed facility is located in Shenango Township, **Mercer County**.

Description of Proposed Action/Activity: This project is to discharge to unnamed tributary to Little Deer Creek.

**WQM Permit No. 4301417,** Sewerage, **Kenneth L. Miller**, 7266 West Market Street, Lot 17, Mercer, PA 16137.

This proposed facility is located in Lackawannock Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for a Single Residence.

**NPDES STORMWATER INDIVIDUAL PERMITS—(PAS)**

The following NPDES Individual Permits for Discharges of Stormwater Associated with Construction Activities have been issued.

These actions of the Department of Environmental Protection (Department) may be appealed to the Environmental Hearing Board (Board), Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483, by any aggrieved person under the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Appeals must be filed with the Board within 30 days from the date of this issue of the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Department's regulations governing practice and procedure before the Board may be obtained from the Board.

*Southwest Region: Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10 G547	West Bradford Township 1385 Campus Drive Downingtown, PA 19335	Chester	West Bradford Township	Broad Run, UNT to Broad Run and UNT to West Branch Brandywine Creek (EV, WWF, MF)

*Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000.*

<i>NPDES Permit</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Water/Use</i>
PAS10X059R	Elaine C. Zdrale by her Attorney in Fact Charles J. Alberts 12801 Route 30, Suite 9 North Huntingdon, PA 15642	Westmoreland North Huntingdon Township	Long Run
PAS10X097	Pat DeCesare, Inc. 4241 William Penn Highway Murrysville, PA 15668	Westmoreland County Murrysville	UNT to Haymaker Run/HQ-CWF

*Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10K024	Lake Erie Promotions 3001 West 15th Street Erie, PA 16505-3911	Erie County	Greenfield Township	Twelvemile Creek (HW-CWF) West Branch Creek (MFWWF)

*Northwest Region: Oil and Gas Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481 (814) 332-6860.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS104109	DL Resources, Inc. 1066 Hoover Road Smicksburg, PA 16256	McKean	Hamilton Township	Unnamed tributaries to South Branch Kinzua Creek (HQ-CWF) and South Branch Kinzua Creek (HQ-CWF)
PAS104106	Catalyst Energy, Inc. 117 Radcliff Drive Pittsburgh, PA 15237-3384	McKean	Lafayette Township	Libby Run (HQ-CWF) and Thundershower Run (HQ-CWF)

#### APPROVALS TO USE NPDES AND/OR OTHER GENERAL PERMITS

The following parties have submitted: (1) Notices of Intent (NOIs) for Coverage under (1) General NPDES Permits to Discharge Wastewater into the Waters of the Commonwealth. The approval for coverage under these general NPDES permits is subject to applicable effluent limitations. Monitoring, reporting requirements and other conditions set forth in the general permit; (2) General Permits for Beneficial Use of Sewage Sludge or Residential Septage by Land Application in Pennsylvania; (3) General NPDES Permit Authorizing the Discharge of Stormwater Associated with Construction Activities to Waters of the Commonwealth; (4) Notification for First Use Application of Sewage Sludge.

The approval of coverage for land application of sewage sludge or residential septage under these general permits is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions set forth in the respective permit. The Department of Environmental Protection approves the following coverage under the specific General Permit.

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

The application and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted.

#### List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Single Residence Sewage Treatment Plant
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Pa. Code Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Pa. Code Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)

#### General Permit Type—PAG-2

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
East Brandywine Township Chester County	PAR10 G444	Rouse/Chamberlin 500 Exton Commons Exton, PA 19341	Beaver Creek (TSF-MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Worcester Township Montgomery County	PAR10 T710	Gambone Brothers P. O. Box 287 Fairview Village, PA 19409	UNT of Skippack Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Marlborough Township Montgomery County	PAR10 T773	Spring Mountain Home Bldrs. 439 Main Street Harleysville, PA 19438	UNT to Perkiomen Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Limerick Township Montgomery County	PAR10 T747	Ribon Partnership, LTD 2148 East High Street Pottstown, PA 19464	UNT to Schuylkill River (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Douglas Township Montgomery County	PAR10 T758	PennDOT 7000 Geerdes Boulevard King of Prussia, PA 19406	Minister and Swamp Creeks (CWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Lower Providence Township Montgomery County	PAR10 T475	Providence Building, Inc. 2620 Egypt Road Norristown, PA 19403	Skippack Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Lower Providence Township Montgomery County	PAR10 T727	Dennis Nolan 1120 Bethlehem Pike Spring House, PA 19477	Rock Run (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Skippack Township Montgomery County	PAR10 T729	Cesar Gorski 846 Mt. Airy Road Collegeville, PA 19426	Perkiomen Creek (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Lackawanna County S. Abington Township	PAR10N125	Jim Millett 521 Greenridge St. Scranton, PA 18509	Leggetts Creek TSF	Lackawanna County Conservation District (570) 281-9495
Mill Hall Borough Clinton County	PAR101922	Keystone Central School District 212 West Kyler Ave. Mill Hall, PA 17751	Bald Eagle Creek & Fishing Creek CWF	Clinton County Conservation District 216 Spring Run Rd., Rm. 104 Mill Hall, PA 17751 (570) 726-3798 X5
<i>Southwest Region: Regional Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.</i>				
<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Armstrong County Manor Township	PAR10B039	Manor Township Joint Municipal Authority 2310 Pleasant View Drive Ford City, PA 16226	Garretts Run/WWF Rupp Run/WWF	Armstrong County Conservation District (724) 548-3425
Armstrong County Manor Township	PAR10B041	DEP Bureau of Abandon Mine Reclamation P. O. Box 8476 Harrisburg, PA 17105	Garretts Run/WWF	Armstrong County Conservation District (724) 548-3425
Cambria County City of Johnstown	PAR101075	Greater Johnstown School District 1091 Broad Street Johnstown, PA 15906	Stonycreek River/ WWF	Cambria County Conservation District (814) 472-2120
Mercer County, Findley Township	PAR104368	Department of General Services 18th and Herr Streets Harrisburg, PA 17125	Neshannock Creek (TSF)	Mercer Conservation District (724) 662-2242

*General Permit Type—PAG-3*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Bedford County West St. Clair Township	PAR233503	Creative Pultrusions, Inc. 214 Industrial Lane P. O. Box 6 Alum Bank, PA 15521	Barefoot Run WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Emporium Borough Cameron County	PAR204811	Pro/America/Cameron Div. P. O. Box 391 Emporium, PA 15834	Driftwood Branch Sinnemahoning Creek 8A	Northcentral Regional Office Department of Environmental Protection 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Robinson Township Allegheny County	PAR806165	FedEx World HQ Environmental MGMT Dept. Bldg. B—2nd Floor 3620 Hacks Cross Road Memphis, TN 38125-7113	Campbell's Run	Southwest Regional Office: Water Manage- ment Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000
Hempfield Township Westmoreland County	PAR806170	FedEx World HQ Environmental MGMT Dept. Bldg. B—2nd Floor 3620 Hacks Cross Road Memphis, TN 38125-7113	Wilson Run	Southwest Regional Office: Water Manage- ment Program Manager 400 Waterfront Drive Pittsburgh, PA 15222- 4745 (412) 442-4000
Horton Township Elk County	PAR608302	Cristini's Auto Wrecking, Inc. R.R. 1 Brockport, PA 15823	Bear Run Toby Creek	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-4*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Bedford County Snake Spring Town- ship	PAG043506	Russell D. Snyder 1927 Upper Snake Spring Rd. Everett, PA 15537	UNT Snake Spring Valley Run/WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Adams County Reading Township	PAG043534	George E. Myers 775 Lake Meade Road York Springs, PA 17372	UNT Mud Run/WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lycoming County Old Lycoming Township	PAG045122	Gregory C. Kinley 1871 Motters Lane Williamsport, PA 17701	Unnamed tributary of Daugherty Run 10A	Department of Environmental Protection Northcentral Regional Office 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Pine Grove Township Warren County	PAG048373	Stephen H. and Lori L. Fox R.R. 1, Box 1795 Russell, PA 16345	Tributary to Wolcott Run	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
West Salem Township Mercer County	PAG048747	Deborah S. Durniok 18 Tanner Road Greenville, PA 16125	Tributary Shenango River	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Lackawannock Township, Mercer County	PAG048750	Kenneth L. Miller 7266 West Market Street Lot 17 Mercer, PA 16137	Tributary West Branch Little Neshannock Creek	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
South Shenango Township Crawford County	PAG048395	James E. Schmid 7192 East Lake Road Jamestown, PA 16134	Unnamed tributary to Pymatuning Reservoir	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Mead Township, Warren County	PAG048385	Ronald W. Polzer 13191 Painesville-Warren Road Painesville, OH 44077	Unnamed tributary to Allegheny Reservoir	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Glade Township Warren County	PAG048384	Frederick A. and Suanne M. Beardsley 889 Hatch Run Road Warren, PA 16365	Hatch Run	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Farmington Township Warren County	PAG048324	William Guy Quatse R.R. 3, Box 3334 Russell, PA 16345-9757	Unnamed tributary of Rhine Run	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-8*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Telephone No.</i>
Center Township Indiana County	PAG086108	Central Indiana Joint Sani Authority P. O. Box 735 South Main Street Homer City, PA 15748		Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-8 (SSN)*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Plumcreek Township Armstrong County	PAG086106	City of Johnstown 241 Asphalt Road Johnstown, PA 15906	William Ramer Farm Kittanning, PA Plumcreek Township Armstrong County	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

## SAFE DRINKING WATER

### Actions taken under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).

*Northeast Region: Water Supply Management Program Manager; 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**Permit No. 4888501-T1**, Public Water Supply.

Applicant **Royal Oaks Mobile Home Park**  
3545 Apricot Drive  
Walnutport, PA 18088

Borough or Township Moore Township

County **Northampton County**

Type of Facility Public Water Supply

Permit to Construct August 2, 2001  
Issued

*Northcentral Region: Water Supply Management Program Manager; 208 West Third Street, Williamsport, PA 17701.*

**Permit No. Minor Amendment**, Public Water Supply.

Applicant **Pennsylvania American Water Co.**  
800 West Hersheypark Drive  
P. O. Box 888  
Hershey, PA 17033

Township Rush Township

County **Centre County**

Type of Facility Public Water Supply

Consulting Engineer Bruce Juergens, P.E.  
800 West Hersheypark Drive  
P. O. Box 888  
Hershey, PA 17033

Permit to Construct August 1, 2001  
Issued

*Southwest Region: Water Supply Management Program Manager; 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Permit No. 7395-A4**, Public Water Supply.

Applicant **Municipal Authority of the Borough of Oakmont**  
721 Allegheny Avenue  
P. O. Box 73  
Oakmont, PA 15138

Borough or Township Borough of Oakmont

County **Allegheny**

Type of Facility Public Water Supply/Potassium Permanganate Feed System

Consulting Engineer NIRA Consulting Engineers Inc.  
950 Fifth Avenue  
Coraopolis, PA 15108

Permit to Construct August 7, 2001  
Issued

**Permit No. 7395-A5**, Public Water Supply.

Applicant **Municipal Authority of the Borough of Oakmont**  
721 Allegheny Avenue  
P. O. Box 73  
Oakmont, PA 15138

Borough or Township Borough of Oakmont

County **Allegheny**

Type of Facility Public Water Supply  
Tablet Chlorination—  
North Bessemer Pump Station

Consulting Engineer NIRA Consulting Engineers Inc.  
950 Fifth Avenue  
Coraopolis, PA 15108

Permit to Construct August 7, 2001  
Issued

**Operations Permit 6399503** issued to: **Pennsylvania-American Water Authority**, P. O. Box 1290, 300 Galley Road, McMurray, PA 15317, North Strabane Township, **Washington County** for the Christy Ridge Booster Pump Station on August 6, 2001.

### SEWAGE FACILITIES ACT PLAN APPROVAL

#### Plan Approvals Granted under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20).

*Southwest Region: Water Management Program Manager; 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Borough of Plum	4575 New Texas Road Pittsburgh, PA 15239	Allegheny County

Plan Description: The approved plan provides for the installation of a sanitary sewer line along New Texas Road starting approximately 4,000 lineal feet southeast of the intersection of Saltsburg Road (S.R. 0400) and New Texas Road (S.R. 2075) and proceeding along the left side of New Texas Road approximately 2,200 lineal feet. The sanitary line also branches off New Texas Road along several local roads (Carpenter Drive, Yettman Drive and McKim Drive) and various rear yards of existing lots. Approximately 63 single family residential dwellings are currently being serviced by on-lot septic systems and will be serviced by the sanitary line. The sanitary line will tie into an existing line located along Shady Hollow. The sewage will be treated at the Holiday Park Sewage Treatment Plant which is maintained and operated by the Plum Borough Municipal Authority. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 2

**The following final reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).**

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of final reports. A final report is submitted to document cleanup of a release of a regulated substance at a site where one of the Act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the



selection of residential or Pa. Code residential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected.

For further information concerning the final report, contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which the notice of receipt of a final report appears. If information concerning a final report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following final reports:

*Northeast Regional Field Office, Joseph Brogna, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.*

**Former Marine Corps Reserve Training Center** (712 Washington Street), Freemansburg Borough, **Northampton County**. Valerie L. Thurmond, Design Team Leader, US Army Corps of Engineers, Geotechnical and Water Resources Branch, 10 S. Howard Street, Baltimore, MD 21201 has submitted a Final Report concerning the remediation of site soils found or suspected to have been contaminated with polycyclic aromatic hydrocarbons and BTEX compounds. The report was submitted to document remediation of the site to meet the Statewide health standard. A Notice of Intent to Remediate was simultaneously submitted. See additional *Pennsylvania Bulletin* notice.

*Southcentral Region: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**Ameristeel Facility**, Spring Garden Township, **York County**. ARM Group Inc., 1129 West Governor Road, P. O. Box 797, Hershey, PA 17033-0797 (on behalf of W. D. Brougher, 1200 Country Club Road, York, PA 17403) submitted a combined Remedial Investigation and Final Report concerning remediation of site groundwater contaminated with solvents. The report is intended to document remediation of the site to the site-specific standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

**The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).**

Provisions of 25 Pa. Code § 250.8, Administration of the Land Recycling and Environmental Remediation Standards Act (Act) requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the Land Recycling and Environmental Remediation Standards Act. Plans and reports required by provisions of the Act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from

the site investigation, concentration of regulated substances in environmental media; benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. A cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or Pa. Code residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following final reports:

*Southeast Region: Environmental Cleanup Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

**Menno Realty Company**, Hilltown Township, **Bucks County**. Eric B. Rosina, Storb Environmental, Inc., 410 N. Easton Rd., Willow Grove, PA 19090, has submitted a Final Report concerning the remediation of site soil contaminated with BTEX. The Final Report, as it pertains to soils, demonstrated attainment of the Statewide Health Standard and was approved by the Department on July 19, 2001. A Final Report for groundwater will be submitted in the future.

**Hibbs Tract**, Wrightstown Township, **Bucks County**. Mark Fortna, DelVal Soil & Environmental Consultants, Inc., Sky Run II, Suite A1, 4050 Skyron Dr., Doylestown, PA 18901, on behalf of Frederick Hibbs, et al, P. O. Box 176, Penns Park, PA 18943, has submitted a Final Report concerning remediation of site soil contaminated with lead and heavy metals. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on July 26, 2001.

**Realen Homes, L.P.**, Falls Township, **Bucks County**. Joseph W. Standen, Jr., Leggette, Brashears & Graham, Inc., 426 Brandywine Parkway, West Chester, PA 19380, on behalf of Frederick Hibbs, et al, P. O. Box 176, Penns Park, PA 18943, has submitted a Final Report concerning remediation of site soil contaminated with heavy metals. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on July 26, 2001.

**Rybas Property**, Bensalem Township, **Bucks County**. Darryl Schmitt, Brinkerhoff Environmental Services, Inc., 133 Jackson Rd., Suite D, Medford, NJ 08055, on behalf of John, Jr., Mary C., Walter G., David J., Barbara J. & Joan C. Rybas, 888 Frankford Ave., Philadelphia, PA, has submitted a Final Report concerning remediation of site soil contaminated with lead. The Final Report, as it

pertains to soils, demonstrated attainment of the Statewide Health Standard and was approved by the Department on July 27, 2001. A Final Report for groundwater will be submitted in the future.

**Sun Pipe Line Co., GW**, East Goshen Township, **Chester County**. Jennifer L. Stafford, P.G., Groundwater & Environmental Services, Inc., 410 Eagleview Blvd., Suite 110, Exton, PA 19341, on behalf of The Terramic Management Co., c/o Peter Haussmann, 1180 W. Swedesford Rd., Suite 40, Berwyn, PA 19312, has submitted a Final Report concerning remediation of site groundwater contaminated with lead. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on August 2, 2001.

**Former Sunoco Station #0004-7985**, Radnor Township, **Delaware County**. Jennifer L. O'Reilly, P.G. Groundwater & Environmental Services, Inc., 410 Eagleview Blvd., Suite 110, Exton, PA 19341, on behalf of Wayne PA Business Tract, c/o U.S. Realty Advisors, 1370 Ave. of the Americas, New York, NY 10019, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with BTEX and petroleum hydrocarbons. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on July 26, 2001.

**Tinicum Industrial Park, Tinicum Township, Delaware County**. Dean O. Reed, Viacom, Inc., 11 Stanwix St., Pittsburgh, PA 15222, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with PCBs, lead, heavy metals, pesticides, solvents, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The report demonstrated attainment of Site-specific Standards and was approved by the Department on July 26, 2001.

*Southcentral Region: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**Former Keystone Distribution Center**, Penn Township and Hanover Borough, **York County**. Gannett Fleming, Inc., P. O. Box 4724, Lancaster, PA 17604-4724 (on behalf of dELiA\*s Distribution Company, c/o Hartman Underhill & Brubaker, 221 East Chestnut Street, Lancaster, PA 17602) submitted a final report concerning the remediation of groundwater contaminated with lead, BTEX and PHCs. The final report demonstrated attainment of the Statewide Health standard and was approved by the Department on July 31, 2001.

**Former SKF USA Inc.**, Borough of Shippensburg, **Franklin County**. ARM Group, 1129 West Governor Road, P. O. Box 797, Hershey, PA 17033-0797 (on behalf of SKF USA Inc., 1111 Adams Avenue, Norristown, PA 19403) submitted a combined remedial investigation and final report concerning the remediation of site soils contaminated with heavy metals, solvents, BTEX and PAHs and groundwater contaminated with solvents. The combined report demonstrated attainment of a combination of Statewide Health and site-specific standards and was approved by the Department on August 2, 2001.

**D. B. Fisher Charter Bus Service**, Borough of Palmyra, **Lebanon County**. ARM Group, 1129 West Governor Road, P. O. Box 797, Hershey, PA 17033-0797 (on behalf of D. B. Fisher Charter Bus Service, 1175 Grace Avenue, Lebanon, PA 17046) submitted a final report concerning the remediation of site soils contaminated with BTEX and PHCs. The final report demonstrated attainment of the Statewide Health standard and was approved by the Department on August 2, 2001.

**SWMU No. 6—Salvage Yard**, Fairview Township, **York County**. Defense Distribution Depot Susquehanna PA, 2001 Mission Drive, Suite 1, New Cumberland, PA 17070-5002 submitted a Final Report concerning remediation of site soils contaminated with solvents. The final report demonstrated attainment of the Statewide Health standard and was approved by the Department on August 2, 2001.

*Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701.*

**Ocker's Fuel Oil, Inc.**, Loyalsock Township, **Lycoming County**. Converse Consultants East, on behalf of Robert Ocker, 17 Woodbryn Drive, Williamsport, PA 17701 has submitted a combined Remedial Investigation, Risk Assessment and Cleanup Plan Report concerning the remediation of site soil and groundwater contaminated with BTEX and PHCs. This combined submission was approved by the Department on July 31, 2001.

#### HAZARDOUS WASTE TRANSPORTER LICENSE

**Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.**

*Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.*

#### HAZARDOUS WASTE TRANSPORTER LICENSE RENEWED

**Eco-Tron Transportation, Inc.**, 1906 Perry Drive, SW, Canton, OH 44706. License No. **PA-AH 0393**. Effective August 6, 2001.

**Fred Heyrich, Inc.**, 3 Peckman Road, Little Falls, NJ 07424. License No. **PA-AH 0233**. Effective August 1, 2001.

**LWD Trucking, Inc.**, P. O. Box 327, Calvert City, KY 42029. License No. **PA-AH 0569**. Effective July 27, 2001.

**Robbie D. Wood, Inc.**, P. O. Box 125, Dolomite, AL 35061. License No. **PA-AH 0504**. Effective August 6, 2001.

**Sumter Transport Company**, P. O. Box 1060, Sumter, SC 29151-1060. License No. **PA-AH 0439**. Effective August 2, 2001.

**T. F. Boyle Transportation, Inc.**, 15 Riverhurst Road, Billerica, MA 01821. License No. **PA-AH 0572**. Effective August 2, 2001.

*Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.*

#### HAZARDOUS WASTE TRANSPORTER LICENSE EXPIRED

**Earth Protection Services, Inc.**, P. O. Box 23820, Phoenix, AZ 85063-3820. License No. **PA-AH 0570**. Effective July 31, 2001.

**Vanguard Research Industries, Inc.**, 239 St. Nicholas Avenue, South Plainfield, NJ 07080. License No. **PA-AH S130**. Effective July 31, 2001.

**The Tyree Organization, Ltd.**, 208 Route 109, Farmingdale, NY 17135. License No. **PA-AH 0391**. Effective July 31, 2001.

**Enviroco Transportation, Inc.**, 61 1/2 Railroad Street, P. O. Box 89, Canfield, OH 44406. License No. **PA-AH 0361**. Effective July 31, 2001.

### INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

**Actions on applications for Infectious and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and the Infectious and Chemotherapeutic Waste Law (35 P. S. §§ 6019.1—6019.6) and regulations to transport infectious and chemotherapeutic waste.**

*Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.*

### INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE RENEWED

**American Waste Industries, Inc.**, 508 E. Indian River Road, Norfolk, VA 23523. License No. **PA-HC 0210**. Effective July 25, 2001.

**Superior Waste Services of Pennsylvania, Inc.**, P. O. Box 0, R. D. 2, Brockway, PA 15824. License No. **PA-HC 0199**. Effective July 25, 2001.

**Abington Memorial Hospital**, 1200 Old York Road, Abington, PA 19001. License No. **PA-HC 0095**. Effective August 6, 2001.

### RESIDUAL WASTE GENERAL PERMITS

**Permits Issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.**

*Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.*

**General Permit No. WMGR070. American Asphalt Paving Co.**, 500 Chase Road, Shavertown, PA 18708-9622. General Permit Number WMGR070 for the beneficial use of residual waste from air pollution devices at the facility. They will be used to form the core of dikes, pipe bedding and backfill. Central Office issued the general permit on August 6, 2001.

Persons interested in reviewing the general permit may contact Ronald C. Hassinger, Chief, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

**General Permit No. WMGR065. Bethlehem Steel Corporation**, 1170 Eighth Avenue, Bethlehem, PA 18106-7699. General Permit Number WMGR065 for beneficial use, in the Northeast Region, of various wastes from steelmaking and foundry operations taken from a remediation site owned by the permittee as construction fill at an adjacent Act 2 remediation site, also owned by the permittee. Only beneficial use of the following types of residual wastes was authorized under General Permit Number WMGR065: refractories, foundry sands, slags, air emission control solids, manganese dioxide ore, chromium oxide ore, mill scale and the media associated with their excavation. General Permit Number WMGR065 was issued modified by Central Office on August 7, 2001, to

include beneficial use of manganese dioxide ore, chromium oxide ore and mill scale.

Persons interested in reviewing the general permit may contact Ronald C. Hassinger, Chief, General Permits/Beneficial Use Section, P. O. Box 8472, Harrisburg, PA 17105-8472. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

### AIR QUALITY

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; Contact: William Charlton, New Source Review Chief, (412) 442-4174.*

**65-00867: Dominion Exploration and Production, Inc.** (1450 Poydras Street, New Orleans, LA 70112) on July 25, 2001, was authorized to operate under GP-65-00867 for a Compressor Engineer at Jacob's Creek Compressor in South Huntingdon Township, **Westmoreland County**.

**Plan Approvals Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.**

*Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Thomas McGinley, New Source Review Chief, (610) 832-6242.*

**46-0210: Cellco Partnership dba Verizon** (5175 Campus Drive, Plymouth Meeting, PA 19462) on July 31, 2001, for operation of a 600 Kilowatt (kW) Diesel Generator in Whitmarsh Township, **Montgomery County**.

**46-0191B: Merck and Co. Inc.**, (351 North Summeytown Pike, North Wales, PA 19454) on July 31, 2001, for operation of a 100 kW Emergency Generator in Upper Gwynedd Township, **Montgomery County**.

**23-0001F: Sunoco, Inc.** (Delaware Avenue and Green Street, Marcus Hook, PA 19061) on July 31, 2001, for operation of a storage tank in Marcus Hook Borough, **Delaware County**.

**46-0005N: Merck and Co., Inc.** (770 Summeytown Pike, West Point, PA 19486) on August 2, 2001, for operation of a 500-kW Emergency Generator in Upper Gwynedd Township, **Montgomery County**.

**23-0001R: Sunoco, Inc.** (Delaware Avenue and Green Streets, Marcus Hook, PA 19061) on August 2, 2001, for operation of Spud Burners on No. 7 Boiler in City of Chester, **Delaware County**.

**23-0001P: Sunoco, Inc.** (Delaware Avenue and Green Streets, Marcus Hook, PA 19061) on August 2, 2001, for operation of Low NOx Burners for RACT #6 Boiler in Marcus Hook Borough, **Delaware County**.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790; Contact: James Parette, New Source Review Chief, (570) 826-2531.*

**35-310-038: Keystone Quarry, Inc.** (P. O. Box 249, Dunmore, PA 18512) on August 6, 2001, for construction

of a stone crushing operation and associated air cleaning device in Dunmore and Throop Boroughs, **Lackawanna County**.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110; Contact: Ronald Davis, New Source Review Chief, (717) 705-4702.*

**01-05022A: Knouse Foods Cooperative, Inc.** (P. O. Box 709, Biglerville, PA 17307-0709) on July 25, 2001, for installation of a 250 HP natural gas/#5 reclaimed oil-fired boiler with low NOx burner technology at its Ortanna Plant in Hamiltonban Township, **Adams County**. This facility is subject to 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.

**07-05032A: New Enterprise Stone & Lime Co., Inc.** (P. O. Box 77, New Enterprise, PA 16664) on July 31, 2001, for construction of a drum mix coater asphaltic concrete plant controlled by a fabric collector at it Roaring Spring Blacktop Plant in Taylor Township, **Blair County**. This facility is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities, 40 CFR Part 60, Subpart Kb—Standards of Performance for Volatile Organic Liquid Storage Vessels and 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

**28-03001A: AMETEK Specialty Motors, former owner GS Electric** (1051 Sheffler Drive, Chambersburg, PA 17201-4842) on August 2, 2001, for modification of an electric motor manufacturing plant in Chambersburg Borough, **Franklin County**.

**28-03037: Greencastle Metal Works, Inc.** (P. O. Box 838, Chambersburg, PA 17201) on August 2, 2001, for installation of a surface coating operation in Chambersburg Borough, **Franklin County**.

**28-05015A: IESI PA Blue Ridge Landfill Corp.** (P. O. Box 399, Scotland, PA 17254) on July 31, 2001, for modification of a municipal solid waste landfill controlled by an enclosed ground flare at its Blue Ridge Landfill in Greene Township, **Franklin County**. The landfill and its gas collection system are subject to 40 CFR Part 60, Subpart WWW - Standards of Performance for Municipal Solid Waste Landfills.

**36-03100A: Signature Custom Cabinetry, Inc.** (434 Springville Road, Ephrata, PA 17522) on July 27, 2001, for construction of a paint booth controlled by a dry arrester filter in Ephrata Township, **Lancaster County**.

**38-03032A: Sun Pipe Line Co.** (Ten Penn Center, Philadelphia, PA 19013) on July 25, 2001, for construction of a soil vapor extraction system controlled by a biofilter at its Cornwall Pumping Station in West Cornwall Township, **Lebanon County**.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; Contact: William Charlton, New Source Review Chief, (412) 442-4174.*

**04-00083A: Beaver Valley Alloy Foundry Company** (4165 Brodhead Road, Monaca, PA 15061) on July 11, 2001 for construction of a Dust Collector at Monaca Plant in Monaca Borough, **Beaver County**.

**65-00659B: Commercial Stone Co., Inc.** (P. O. Box 187, Berkely Springs, WV 25411) on August 2, 2001 for construction of an Asphalt Plant at Adamsburg in North Huntington, **Westmoreland County**.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481; Contact: Devendra Verma, New Source Review Chief, (814) 332-6940.*

**37-316A: International Mill Services—EQS Plant** (700 Moravia Street, New Castle, PA 16102) on July 24, 2001, to construct a slag processing facility at Ellwood Quality Steel in New Castle, **Lawrence County**.

**25-952D: Bush Industries, Inc.** (2455 Robison Road, Erie, PA 16509) on July 24, 2001, to modify the finishing line in Summit Township, **Erie County**.

**37-003A: Essroc Materials, Inc** (Second Street, Bessemer, PA 16112) on July 30, 2001, to install a dust collector in Bessemer Borough, **Lawrence County**.

**10-001D: AK Steel Butler** (Route 8 South, Butler, PA 16003) on July 25, 2001, to convert the #23 Pickle Line in Butler, **Butler County**.

**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110; Contact: Ronald Davis, New Source Review Chief, (717) 705-4702.*

**01-05027A: McDermitt, Inc.** (P. O. Box 3219, Gettysburg, PA 17325-0219) on July 31, 2001, for construction of a drum mix asphalt plant controlled by a fabric collector in Oxford Township, **Adams County**. This facility is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities. This plan approval has been extended.

**67-03063: Advanced Recycling Technology, Inc.** (340 South Broad Street, Hallam, PA 17406) on August 6, 2001, for operation of an industrial dryer with primary fuel: #4 oil, secondary fuel: combination of waste oil, nonchlorinated plastic/photopaper, controlled by a wet scrubber in Hallam Borough, **York County**. This plan approval has been extended.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; Contact: William Charlton, New Source Review Chief, (412) 442-4174.*

**03-220A: Spicer Energy II LLC** (100 Nyala Farm, Westport, CT 06880) on July 30, 2001, for construction of a Syn Fuel Processing Facility at Keystone Power Plant in Plumcreek Township, **Armstrong County**. This plan approval was extended.

**65-302-071: Koppers Industries, Inc.** (436 Seventh Avenue, Pittsburgh, PA 15219) on July 24, 2001, for construction of two boilers at Monessen Coke Plant in Monessen, **Westmoreland County**. This plan approval was extended.

**65-857A: Saint-Gobain Advanced Ceramics** (55 Hillview Avenue, Latrobe, PA 15650) on July 30, 2001, for construction of a Tunnel Kilm at Derry Plant in Derry Township, **Westmoreland County**. This plan approval was extended.

**63-014D: Orion Power Midwest, LP** (2000 Cliff Mine Road, Suite 200, Pittsburgh, PA 15275) on July 30, 2001, for construction of SNCR Units 1, 2, 3 at Elrama Station in Union Township, **Washington County**. This plan approval was extended.

**63-307-027: American Iron Oxide Production Company** (Foster Plaza #7, 661 Andersen Drive, Pittsburgh, PA 15220) on July 30, 2001, for construction of Iron Oxide Production at Allenport Plant in Allenport Borough, **Washington County**. This plan approval was extended.

**63-911A: Twilight Industries** (212 State Street, Belle Vernon, PA 15012) on July 25, 2001, for construction of a Coal Crusher at Lustik Surface Mine in Somerset Township, **Washington County**. This plan approval was extended.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481; Contact: Devendra Verma, New Source Review Chief, (814) 332-6940.*

**10-021E: Indspec Chemical Corp.** (133 Main Street, P. O. Box 307, Petrolia, PA 16050) on July 30, 2001, for a 9500 gallon resorcinol storage tank in Petrolia, **Butler County**.

**10-021F: Indspec Chemical Corp.** (133 Main Street, P. O. Box 307, Petrolia, PA 16050) on July 30, 2001, for the #3 and #4 Kilns in Petrolia, **Butler County**.

**42-399-015A: Temple Inland Forest Products Corp.—Mt. Jewett Particleboard** (R. D. 2, Hutchins Road, Mt. Jewett, PA 16740) on July 31, 2001, for three wood particle dryers and oil heater in Sergeant Township, **McKean County**.

**42-176E: Temple Inland Forest Products Corp.—Mt. Jewett Particleboard** (R. D. 2, Hutchins Road, Mt. Jewett, PA 16740) on July 31, 2001, for a wood chip refiner start up cyclone in Sergeant Township, **McKean County**.

**61-004B: Electralloy, A GO Carlson Inc. Co.** (175 Main Street, P. O. Box 381, Oil City, PA 16301) on July 30, 2001, for a granular metal process in Oil City, **Venango County**.

---

**Title V Operating Permits Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.**

---

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701; Contact: Muhammad Zaman, Facilities Permitting Chief, (570) 327-3637.*

**59-00002: Dominion Transmission Inc.** (625 Liberty Avenue, Pittsburgh, PA 15222) issued a revised operating permit on July 25, 2001, to extend the date of a stack test for their two natural gas transmission engines until December 31, 2002, for their facility in Farmington Township, **Tioga County**.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; Contact: Mark Wayner, Facilities Permitting Chief, (412) 442-4174.*

**03-00023: Allegheny Energy Supply Co., LLC** (800 Cabin Hill Drive, Greensburg, PA 15601-1689) on August 1, 2001, for operation of an electric power generating facility known as the Armstrong Power Station in Washington Township, **Armstrong County**.

**56-00232: Shade Landfill, Inc.** (Westpointe Corporate Center One, Suite 200, 1550 Coraopolis Heights Road, Moon Township, PA 15108) on July 31, 2001, for the operation of a Sanitary Landfill in Shade Township, **Somerset County**.

---

**Operating Permits for Pa. Code Title V Facilities Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.**

---

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481; Contact: Devendra Verma, New Source Review Chief, (814) 332-6940.*

**37-00038: B & L Asphalt Industries, Inc.—New Castle Plant** (Route 168, New Castle, PA 16105) on August 2, 2001, for a Synthetic Minor Operating Permit in Hickory Township, **Lawrence County**.

**61-00007: IA Construction Corp.—Franklin Plant** (Route 8 North, Franklin, PA 16323) on August 2, 2001, for a Synthetic Minor Operating Permit in Sugar Creek Borough, **Venango County**.

---

**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

---

*Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Thomas McGinley, New Source Review Chief, (610) 832-6242.*

**15-0015: Sartomer Co., Inc.** (610 South Bolmar Street, West Chester, PA 19382) on July 31, 2001, for Synthetic Minor NOx Facility in West Chester Borough, **Chester County**.

**46-313-131: SmithKline Beecham Pharmaceuticals** (709 Swedeland Road, UE0254, King of Prussia, PA 19406) on July 31, 2001, for Central Vacuum System in Upper Merion Township, **Montgomery County**.

**46-0011: Lukens Steel Co.** (Conshohocken Road, Conshohocken, PA 19428) on July 31, 2001, for Facility VOC/NO<sub>x</sub> RACT in Plymouth Township, **Montgomery County**.

**23-0014A: Kimberly-Clark Corp.** (Front and Avenue of the States, Chester, PA 19013) on August 1, 2001, for Facility VOC/NO<sub>x</sub> Ract in Chester Township, **Delaware County**.

**23-0001: Sunoco, Inc.** (Delaware Avenue and Green Street, Marcus Hook, PA 19061) on August 2, 2001, for Facility VOCs/NO<sub>x</sub> RACT in Marcus Hook Borough, **Delaware County**.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110; Contact: Ronald Davis, New Source Review Chief, (717) 705-4702.*

**21-05001: Lear East LP** (P. O. Box 40, Carlisle, PA 17013) for operation of an automotive carpet manufacturing facility in Carlisle Borough, **Cumberland County**. On August 2, 2001, the Title V Operating Permit was administratively amended to incorporate Plan Approval No 21-05001A for construction of KJ automotive carpet backing molding line. This is Revision No. 2 of the operating permit.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701; Contact: David Aldenderfer, Program Manager, (570) 327-3637.*

**60-00001: Bucknell University** (Department of Physical Plant, Lewisburg, PA 17837) on July 26, 2001, to incorporate conditions established in Plan Approval 60-0001A for a five-megawatt natural gas fired combustion turbine, a 70 thousand pound per hour heat recovery boiler with a natural gas fired duct burner, an 88.8 million BTU per hour natural gas/#2 fuel oil-fired boiler, an 85.2 million BTU per hour natural gas/#2 fuel oil-fired boiler and a 500 kilowatt diesel-fired emergency generator in Lewisburg Borough, **Union County**.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481; Contact: Devendra Verma, New Source Review Chief, (814) 332-6940.*

**37-00011: Dairy Farmers of America** (R. R. 1 Box 268, New Wilmington, PA 16142) for an administrative amendment to the Natural Minor Operating Permit to correct errors and identify personnel changes in the Wilmington Township, **Lawrence County**.

*Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Contact: Roger Fey, Chief, (215) 823-7584.*

**95-073: Department of Veterans Affairs Medical Center and Nursing Home Care Unit** (University and Woodland Avenues, Philadelphia, PA 19104) originally issued on June 10, 1999, has been administratively amended on August 6, 2001, to change the facility contact and to incorporate a new ethylene oxide sterilizer system. The previous ethylene oxide sterilizer has been removed from the facility and the permit.

## **ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Cleans Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 Water Quality Certification. Mining activity permits issued in response to the applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003.**

### *Coal Permits Issued*

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

**40900203R2. Northampton Fuel Supply Co., Inc.** (7500 Old Georgetown Road, 13th Floor, Bethesda, MD 20814-6161), renewal of an existing coal refuse reprocessing operation in Newport Township, **Luzerne County** affecting 49.5 acres, receiving stream—none. Renewal issued: August 2, 2001.

**40663023R3. Pagnotti Enterprises, Inc.** (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of an existing anthracite surface mine, coal refuse reprocessing & refuse disposal operation in Hazle Township, **Luzerne County** affecting 640.0 acres, receiving stream—none. Renewal issued: August 3, 2001.

*Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209.*

**17970119. Moravian Run Reclamation Co., Inc.** (605 Sheridan Drive, Clearfield, PA 16830), renewal of an existing bituminous surface mine-auger permit in Gulich Township, **Clearfield County** affecting 52.7 acres. Receiving stream—Muddy Run. Application received: May 21, 2001. Permit issued: July 31, 2001.

*Greensburg District Mining Office: Armbrust Building, R. R. 2 Box 603-C, Greensburg, PA 15601-0982.*

**26000201. Carbon Fuel Resources, Inc.** (200 College Drive, Suite 300, Lemont Furnace, PA 15456). Permit issued for commencement, operation and reclamation of a

bituminous surface mining/coal refuse reprocessing site located in German Township, **Fayette County**, affecting 73.7 acres. Receiving streams: unnamed tributary to Browns Run, Browns Run and the Monongahela River. Application received: August 9, 2000. Permit issued: July 30, 2001.

**65960109. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Renewal permit issued for commencement, operation and reclamation of a bituminous surface mine located in Derry Township, **Westmoreland County** affecting 64 acres. Receiving streams: unnamed tributary to Harbridge Run and McGee Run. Renewal application received: June 4, 2001. Permit issued: August 3, 2001.

**65960107. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Renewal permit issued for commencement, operation and reclamation of a bituminous surface mine located in Mt. Pleasant Township, **Westmoreland County** affecting 460 acres. Receiving streams: unnamed tributaries to Laurel Run and Jacob's Creek and Jacob's Creek. Renewal application received: February 21, 2001. Permit issued: August 3, 2001.

**65010101. M. B. Energy, Inc.** (175 McKnight Road, Blairsville, PA 15717). Permit issued for commencement, operation and reclamation of a bituminous surface mine located in Derry Township, **Westmoreland County** affecting 197 acres. Receiving streams: unnamed tributaries to Saxman Run, Saxman Run to Loyalhanna Creek, to Conemaugh River. Permit application received: January 22, 2001. Permit issued: August 3, 2001.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931.*

**11960105. Permit Renewal, E. P. Bender Coal Company, Inc.** (Main & Lehmier Streets, P. O. Box 594, Carrolltown, PA 15722), for continued operation of a bituminous surface and auger mine in Reade & Beccaria Townships, **Cambria and Clearfield Counties**, receiving stream Turner Run and Clear Creek, Clearfield Creek. Application received: June 5, 2001. Permit issued: July 31, 2001.

**32970108. Permit Revision, KMP Associates** (R. D. 2, Box 194, Avonmore, PA 15618), requesting a land use change from forestland, commercial operations to unmanaged wildlife habitat and wildlife habitat on the property owned by Charles S. & Dolores M. Kravetsky in Young & Conemaugh Townships, **Indiana County**, affecting 166.6 acres, receiving stream Harpers Run and unnamed tributary to Blacklegs Creek. Application received: May 29, 2001. Permit issued: July 31, 2001.

*McMurray District Mining Office: 3913 Washington Road, McMurray, PA 15317.*

**56841306. Lion Mining Company** (P. O. Box 209, Jennerstown, PA 15547), to revise the permit for the Grove No. 1/E-seam in Jenner Township, **Somerset County** to revise surface permit to strip mine 4 acres to close, backfill and reclaim deep mine entry, no additional discharges. Permit issued: July 31, 2001.

**30733707. Consolidation Coal Company** (P. O. Box 100, Osage, WV 26543), to renew the permit for the Robena CRDA in Monongahela and Greene Townships, **Greene County** to renew permit, no additional discharges. Permit issued: August 2, 2001.

### *Noncoal Permits Issued*

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

**7475SM3A1C4. Keystone Cement Company** (P. O. Box A, Route 329, Bath, PA 18014-0058), renewal of NPDES Permit #PA0612308 in East Allen Township, **Northampton County**, receiving stream—Monocacy Creek. Renewal issued: August 2, 2001.

**4873SM10A2C5. Codorus Stone & Supply Co., Inc.** (135 Mundis Race Road, York, PA 17402), renewal of NPDES Permit #PA0595284 in Manchester Township, **York County**, receiving stream—unnamed tributary to Codorus Creek. Renewal issued: August 3, 2001.

#### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341(a)).

Except as otherwise noted, the Department of Environmental Protection certifies that the construction and operation herein described will comply with the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State Water Quality Standards.

Any person aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Cleans Streams Law (35 P. S. §§ 691.—691.702) and Notice of Final Action for Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).** (Note: Water Obstruction and Encroachment Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description.)

*Permits Issued and Actions on 401 Certifications:*

### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Southeast Region: Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

**E23-411. Ridley Township**, 100 E. MacDade Boulevard, Folsom, PA 19033-3622, Ridley Township, **Delaware County**, ACOE Philadelphia District.

To remove an existing pedestrian bridge and 35-foot section of retaining wall and to construct and maintain a 5-foot wide wooden pedestrian bridge consisting of a 42-foot span and to install and maintain associated rock riprap protection within and along Shipley Run (WWF-MF), a tributary to Muckinpatres Creek. The site is located approximately 580 feet north of the intersection of Hannum Avenue & Hutchinson Terrace (Lansdowne PA Quadrangle, N: 4.5 inches; W: 7.9 inches).

**E23-378. Joyfor Joint Venture**, 1604 Walnut Street, Philadelphia, PA 19103, Newtown Square, Newtown Township, **Delaware County**, ACOE Philadelphia District.

To perform the following activities associated with the construction of the Marville at Newtown Square Commercial Development, Parcel "B," located approximately 700 feet north of the intersection of West Chester Pike and Alice Grim Boulevard (Media, PA Quadrangle N: 8.0 inches; W: 19.5 inches).

1. To construct and maintain a 54 linear-foot arch bridge, consisting of a 14-foot by 7.25-foot waterway opening, in and along an unnamed tributary to Crum Creek (CWF) associated with the construction of a proposed ring road. Work also includes the installation of a 15-inch R.C.P. storm sewer across the top of the proposed arch bridge.

2. To place and maintain fill within an unnamed tributary to Reese's Run (CWF) and an adjacent wetland (PEM/PSS) to facilitate the construction of a hotel, associated parking facilities and an access road. The project will impact 0.53 acre of wetland and approximately 600 linear feet of an unnamed tributary of Reese's Run, a tributary to Crum Creek.

The permittee is required to provide a minimum of 1.23 acres of replacement wetlands.

*Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**E40-558. John and Susan Halbing**, 20 Winding Way, Dallas, PA 18612. Harveys Lake Borough, **Luzerne County**, Army Corps of Engineers Baltimore District.

To remove the existing structure and to construct and maintain a pile supported private recreational dock having a surface area of approximately 1,700 S.F. and extending 50 feet from the shore of Harveys Lake. The project is located along the northern shore at Pole 120 (Noxen, PA Quadrangle N: 0.7 inch; W: 4.2 inches).

*Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

**E08-367—Denied. Endless Mountains Energy LLC or Calpine**, Pilot House, Second Floor, Lewis Wharf, Boston, MA 02110. Intake pipeline, in Wysox Township, **Bradford County**, ACOE Baltimore District (Towanda, PA Quadrangle N: 1.4 inches; W: 7.62 inches).

To construct and maintain a river water intake structure consisting of two 84-inch long by 30-inch diameter wedge-wire stainless steel intake screens which will be mounted on a manifold which projects up from the river bed and to construct and maintain approximately 170 lineal feet of 24-inch diameter intake pipeline which will extend from the intake structure to a pump station located on the eastern bank of the Susquehanna River and to construct and maintain a submerged single-port 8-inch diameter Tideflex effluent diffuser and 160-lineal feet of 24-inch diameter outfall piping located approximately 160 feet offshore of the east bank of the Susquehanna River.



**E17-335. Eagle Environmental II, LP,** 11 New Street, Englewood Cliffs, NJ 07632. Residual Waste Landfill, in Chest Township, **Clearfield County**, ACOE Baltimore District (Westover, PA Quadrangle N: 1.19 inches; W: 2.30 inches).

To construct, operate and maintain a residual waste landfill and its appurtenant structures in the Pine Run Watershed; and to construct, operate and maintain a treated leachate outfall structure in Chest Creek for the operation of the Royal Oak Residual Waste Landfill. The construction of the landfill appurtenant structure shall be limited to three treated stormwater outfalls and a maximum wetland impact of 0.17-acre. The effluent outfall structure shall be constructed with a submerged 8-inch diameter high-density polyethylene pipe in the channel of Chest Creek. The project is located along the eastern right-of-way of SR 0036 approximately 1.7-miles east of T-412 and T-409 intersection in Chest Township, Clearfield County. The permittee shall construct the 0.42-acre of on-site replacement wetlands prior to commencing the wetland impacts authorized by this permit.

**E17-356. Huston Township Sewer Authority,** P. O. Box 121, Penfield, PA 15840-0121, in Huston Township, **Clearfield County**, ACOE Baltimore River Basin District (Penfield, PA Quadrangle N: 16.5 inches; W: 8.6 inches).

To install, operate and maintain a 2-inch diameter polyethylene pipe crossing Eric Hollow Run, Mill Run, Moose Run, Tyler Run, Bennetts Branch-Sinnemahoning Creek, four unnamed tributaries to Bennetts Branch and eight wetlands for the collection, conveyance and treatment of municipal wastewater. All utility lines crossing beneath waterways shall be encased in concrete. The project is located along SR 0255 approximately 2.5-miles north of SR 0153 and SR 0255 intersection. This also authorizes the construction, operation and maintenance of an outfall structure to treated wastewater effluent to an existing abandon mine pool. All wetland impacts associated to the collection and conveyance system shall be temporary, as such the permittee will not need to mitigate with replacement wetlands.

*Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**E02-1336. Pennsylvania Department of Transportation,** Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017. Findlay Township, **Allegheny County**, ACOE Pittsburgh District.

To remove the existing bridge and to construct and maintain a new bridge having a clear span of 8.23 meters (27.0 feet) with an underclearance of 2.83 meters (7.28 feet) across Raredon Run (WWF), to relocate and maintain approximately 328.0 feet of the channel of an unnamed tributary to Raredon Run (WWF) located just west of said bridge, to relocate and maintain approximately 393.6 feet of an unnamed tributary to Raredon Run (WWF) located just east of said bridge and to place and maintain fill in a de minimis area of PEM/PSS wetland equal to 0.03 acre for the purpose of improving highway safety. The project is located on S.R. 3088 Sect A01, Station 0+241.570, Offset 0000, Segment 0010 (Aliquippa, PA Quadrangle N: 3.5 inches; W: 7.4 inches).

**E02-1338. County of Allegheny,** Department of Public Works, Room 501, County Office Building, 542 Forbes Avenue, Pittsburgh, PA 15219-5386. West Deer Township, **Allegheny County**, ACOE Pittsburgh District.

To remove approximately 600 cy of accumulated sedimentation from three locations, to construct and maintain two Fish Mounds, to construct and maintain two Fishing pods, to construct and maintain three Aeration Diffusers, to repair and maintain a concrete retaining wall and two concrete bridge piers, to repair an undercut end wall and to construct and maintain handicap access path around the lake with a stream crossing consisting of four 18 inch diameter CPE culvert pipes and an approximately 17 feet long concrete transition channel on the upstream end of the culvert pipes in a tributary to Little Deer Creek (TSF). The project is located in the southeast corner of the intersection of Mehaffey Road and Park Road (New Kensington West, PA Quadrangle N: 22.1 inches; W: 10.2 inches).

**E56-299. Somerset County Conservation District,** 1590 North Center Avenue, Suite 103, Somerset, PA 15501. Borough of Jennerstown, **Somerset County**, ACOE Pittsburgh District.

To relocate and maintain approximately 1250 LF of Beaverdam Creek (HQ-CWF) between its confluence with Quemahoning Creek and S.R. 4023. The project includes the construction and maintenance of a 200-foot long, 10-foot wide, 6-foot deep open box culvert in the relocated channel and impacts to 2.34 acres of wetlands. The purpose of the project is to separate the stream flow from an acid mine discharge in order to improve the water quality in the relocated portion of the watercourse. The project will result in the loss of approximately 420 LF of watercourse. The permittee will restore and reconstruct 1.69 acres of wetlands and will construct another 0.65 acre of replacement wetland in a future phase of construction (Boswell, PA Quadrangle N: 5.95 inches; W: 6.05 inches).

*Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**E10-334. Zokaites Contracting, Inc.,** 375 Golfside Drive, Wexford, PA 15090. Marshall Woods Phase I Residential Development, in Cranberry Township, **Butler County**, ACOE Pittsburgh District (Mars, PA Quadrangle N: 18.0 inches; W: 13.7 inches).

To fill 0.45 acre of wetland (PEM/PSS) associated with the construction of a stormwater detention basin and enclose approximately 320 feet of the channel of a tributary to Brush Creek (WWF) having a contributory drainage area less than 100 acres within the Marshall Woods Phase I residential development northeast of the intersection of T-311 North Boundary Road and T-305 Marshall Road. This project includes creation of 0.45 acre of replacement wetland on site.

#### ENVIRONMENTAL ASSESSMENTS

*Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**EA24-005NW, Elk County Fisherman,** HCR1 Box 199A, Ridgeway, PA 15853. Yonkers Run Limestone Channel Extension, in Jones Township, **Elk County**, ACOE Pittsburgh District (Glen Hazel, PA Quadrangle N: 19.25 inches; W: 9.10 inches).

To install and maintain limestone strips and a series of ten check dams within a 200 foot long by 3—5 feet wide segment of a perennial unnamed tributary to Yonkers Run (CWF) to remediate acid mine drainage.



**STORAGE TANKS****SITE-SPECIFIC INSTALLATION PERMITS**

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101 and 6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Land Recycling and Waste Management, Director, P. O. Box 8763, Harrisburg, PA 17105-8763.

<i>SSIP Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
01-67-003	Kathleen M. Furlong Iris Energy LLC, (Brunner Island Power Plant) 100 Nyala Farm Westport, CT 06880	York	East Manchester	2 ASTs Fuel Additive	15,000 gallons each
01-47-001	Kathleen M. Furlong Iris Energy LLC, (Montour Power Plant) 100 Nyala Farm Westport, CT 06880	Montour	Derry Township	2 ASTs Fuel Additive	15,000 gallons each

**SPECIAL NOTICES****Notice of Certification to Perform Radon-Related Activities in Pennsylvania**

In the month of July 2001 the Department of Environmental Protection, under the authority contained in the Radon Certification Act (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed to perform radon-related activities in this Commonwealth. The period of certification is 2 years. For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (800) 23RADON.

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Advantage Radon Control Centers	804 Second Street Pike Southampton, PA 18966	Mitigation
Jeffrey Calta	106 Vensel Lane Chicora, PA 16025	Laboratory
Delta Inspection Services, Inc.	P. O. Box 586 Yardley, PA 19067	Testing
D-Tech, Inc.	P. O. Box 902 Blue Bell, PA 19422	Testing
Richard Haag Safe Shelter Environmental	346 North Pottstown Pike Exton, PA 19341	Testing Mitigation
Robert Krause	P. O. Box 1517 Scranton, PA 18501	Testing
David Lanzer Clean Air Pro	174 Penn Lear Drive Monroeville, PA 15146	Mitigation
Cynthia Lawn Franklin Environmental Analysis	2334 Orthodox Street Philadelphia, PA 19137	Testing Laboratory
Carl Mastropaolo	1839 Ashurst Road Philadelphia, PA 19151	Testing
Joseph Miloser, Jr.	134 Woodrow Drive Ellwood City, PA 16117	Testing
Joseph Molony	220 Dotterer Road Lenhartsville, PA 19534	Testing

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Peter Muehlbronner All State Home Inspections, Inc.	101 Witmer Road, Suite 600 Horsham, PA 19044	Testing
Lewis Nelson, IV First Choice Radon Testing Co., Inc.	P. O. Box 830 Huntingdon Valley, PA 19006	Testing
Gary Patterson	118 East College Avenue Pleasant Gap, PA 16823	Mitigation
Josh Rudy	1857 Sturbridge Drive Lancaster, PA 17601	Testing
United States Toxic Substance Testing Bureau	804 Second Street Pike Southampton, PA 18966	Testing
Rodney Williams	4296 Limeport Pike Coopersburg, PA 18036	Testing

### Public Hearing Notice

The Department of Environmental Protection (DEP) will conduct a public hearing on Thursday, September 27, 2001, beginning at 7 p.m. in the Marienville Area Civic Association building, adjacent to the Jenks Township Building, in downtown Marienville, PA. The hearing is in response to comments received on two applications from Pennsylvania General Energy for discharges of stormwater associated with oil and gas development construction activities. These applications are for new National Pollutant Discharge Elimination System (NPDES) permits to discharge stormwater from construction activities to Salmon Creek, Little Salmon Creek and an unnamed tributary to Salmon Creek in Kingsley and Jenks Townships, Forest County. The NPDES applications are numbered PAS102703 and PAS102704.

Any person who wishes to present testimony at the hearing should submit a written notice of intent to Robert Gleeson, Oil & Gas Management, DEP, 230 Chestnut Street, Meadville, PA 16335-3494, on or before September 20, 2001. The written notice should include the person's name, address, telephone number and a brief statement as to the nature of the testimony to be offered at the hearing. Testimony may be presented in either written or oral form. All testimony should be concise, to the point and relevant to the permit issue. Oral testimony will be limited to a maximum of 5 minutes per speaker. Those presenting written testimony can submit a written copy of the comments and any relevant documents at the hearing. Written testimony can also be sent to Robert Gleeson in the Meadville Oil & Gas Program either prior to the hearing or until October 3, 2001.

After the hearing DEP will prepare a document including a summary of the written and oral comments submitted at the hearing, DEP's responses to the comments and the reasons for the responses. DEP will make its decision on the applications following completion of this summary.

Interested persons may obtain further information or inspect and copy public forms and related documents at the DEP Regional Office, 230 Chestnut Street, Meadville between the hours of 8 a.m. and 4 p.m. Monday through Friday. Appointments for file reviews can be made by calling (814) 332-6340.

### BUREAU OF DEEP MINE SAFETY

#### REQUEST FOR VARIANCE

The Department of Environmental Protection (Department), Bureau of Deep Mine Safety (Bureau), has received a request for variance from Mears Enterprises, Inc. for the Ondo Mine. The following notification contains a summary of this request. A complete copy of the variance request may be obtained from Allison Gaida by calling (724) 439-7469 or from the BDMS website at <http://www.dep.state.pa.us/dep/deputate/minres/dms/dms.htm>.

The Department is publishing a summary of the request in order to solicit comments from affected parties on the proposed variance request. Comments may be used by the Bureau to assist in its investigation of the variance request. Comments will be accepted for 30 days following the publication of this notice. All comments should be addressed to: Richard E. Stickler, Director, Bureau of Deep Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401.

Section 702 of the Pennsylvania Bituminous Coal Mine Act (52 P. S. §§ 701 and 702) provides a mechanism for operators to obtain variances from specific requirements of the Act to accommodate the adoption of new machinery, equipment, tools, supplies, methods or processes.

Section 224(b) states that whenever any working place in a mine approaches within 50 feet of abandoned workings certified by an engineer or within 200 feet of any abandoned workings which cannot be inspected, or within 200 feet of any other abandoned workings, boreholes shall be drilled sufficiently close to each other to ensure that the advancing face will not hole through into the abandoned workings.

*Summary of the Request:* Mears Enterprises, Inc. requests a variance to drill holes to determine whether or not the projected mining will be negatively impacted by the country banks adjacent to the Ondo Mine.

[Pa.B. Doc. No. 01-1499. Filed for public inspection August 17, 2001, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of Allegheny General Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Allegheny General Hospital has requested an exception to 28 Pa. Code § 51.3(g)(4) (relating to notification).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Acute and Ambulatory Care, Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address previously listed.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and /or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1500. Filed for public inspection August 17, 2001, 9:00 a.m.]

### Application of Leonard P. Ferrara, M.D. for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Leonard P. Ferrara, M.D. has requested an exception to 28 Pa. Code § 551.22 (relating to criteria for performance of ambulatory surgery on pediatric patients).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Acute and Ambulatory Care, Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address previously listed.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717)

783-6514 for Speech and /or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1501. Filed for public inspection August 17, 2001, 9:00 a.m.]

### Application of Geisinger HealthSouth Rehabilitation Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Geisinger HealthSouth Rehabilitation Hospital has requested an exception to 28 Pa. Code § 107.25(b)(8) (relating to medical staff executive committee).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Acute and Ambulatory Care, Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address previously listed.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and /or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1502. Filed for public inspection August 17, 2001, 9:00 a.m.]

### Application of Graduate Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Graduate Hospital has requested an exception to 28 Pa. Code §§ 143.4 and 143.7 (relating to medical appraisal of podiatric patients; and medical orders and patient records).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Acute and Ambulatory Care, Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address previously listed.

Comments received by the Department within 10 days after the date of publication of this notice will be

reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and /or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1503. Filed for public inspection August 17, 2001, 9:00 a.m.]

### Application of Heritage Valley Health System for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Heritage Valley Health System has requested an exception to 28 Pa. Code § 51.23 (relating to positron emission tomography).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Acute and Ambulatory Care, Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address previously listed.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and /or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1504. Filed for public inspection August 17, 2001, 9:00 a.m.]

### Application of Lancaster NeuroScience & Spine Associates for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Lancaster NeuroScience & Spine Associates has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests

exemption from the following standard contained in this publication: 9.2H(a) (relating to minimum public corridor width).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Acute and Ambulatory Care, Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address previously listed.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and /or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1505. Filed for public inspection August 17, 2001, 9:00 a.m.]

### Application of Latrobe Area Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Latrobe Area Hospital has requested an exception to 28 Pa. Code § 51.23 (relating to positron emission tomography).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Acute and Ambulatory Care, Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address previously listed.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and /or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1506. Filed for public inspection August 17, 2001, 9:00 a.m.]

### Application of Riverview Ambulatory Surgical Center, L.L.C. for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Riverview Ambulatory Surgical Center, L.L.C. has requested an exception to 28 Pa. Code § 51.3(a) (relating to notification).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Acute and Ambulatory Care, Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address previously listed.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and /or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1507. Filed for public inspection August 17, 2001, 9:00 a.m.]

### Application of SemperCare Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that SemperCare Hospital has requested an exception to 28 Pa. Code §§ 107.2 and 107.32 (relating to medical staff membership; and meetings and attendance).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Acute and Ambulatory Care, Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address previously listed.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and /or Hearing Impaired Persons or

the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1508. Filed for public inspection August 17, 2001, 9:00 a.m.]

### Application of St. Joseph Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that St. Joseph Medical Center has requested an exception to 28 Pa. Code § 51.23 (relating to positron emission tomography).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Acute and Ambulatory Care, Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address previously listed.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and /or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1509. Filed for public inspection August 17, 2001, 9:00 a.m.]

### Application of Suburban General Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Suburban General Hospital has requested an exception to 28 Pa. Code § 51.3(g)(4) (relating to notification).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Acute and Ambulatory Care, Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address previously listed.

Comments received by the Department within 10 days after the date of publication of this notice will be

reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and /or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1510. Filed for public inspection August 17, 2001, 9:00 a.m.]

### Application of The Western Pennsylvania Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that The Western Pennsylvania Hospital has requested an exception to 28 Pa. Code § 51.3(g)(4) (relating to notification).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Acute and Ambulatory Care, Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address previously listed.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and /or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1511. Filed for public inspection August 17, 2001, 9:00 a.m.]

### Hearing Aid Advisory Council Meeting

The Hearing Aid Advisory Council, established by section 201 of the Hearing Aid Sales Registration Law (35 P. S. § 6700-201), is scheduled to hold a meeting on September 6, 2001, from 9 a.m. to 12 noon at the Bureau of Community Program Licensure & Certification, Bureau Conference Room, 132 Kline Plaza, Suite A, Harrisburg, PA 17104.

For additional information or for persons with a disability who desire to attend and require an auxiliary aid, service or other accommodations to do so, contact John

Hair, Director of the Bureau of Community Program Licensure and Certification at (717) 783-8665.

Speech and/or hearing impaired persons with TTY machines use the Pennsylvania AT&T relay services at (800) 654-5984 (TT).

This meeting is subject to cancellation without notice.

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1512. Filed for public inspection August 17, 2001, 9:00 a.m.]

### Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee; Public Meeting

The Statewide HIV Community Prevention Planning Committee, established by the Department of Health under sections 301 and 317 of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247(b)) will hold a public meeting on Wednesday, September 5, 2001.

The meeting will be held at the Best Western Inn and Suites, 815 Eisenhower Boulevard, Middletown, PA 17057, from 9 a.m. to 3 p.m.

The Department reserves the right to cancel this meeting without prior notice.

For additional information, contact Thomas M. DeMelfi, Department of Health, Bureau of Communicable Diseases, P. O. Box 90, Room 1010 Health and Welfare Building, Harrisburg, PA 17108, (717) 783-0572.

Persons with a disability who desire to attend the meeting, and require an auxiliary aid, service or other accommodation to do so, should also contact Thomas DeMelfi at the previous number or at V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT & T Relay Services at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1513. Filed for public inspection August 17, 2001, 9:00 a.m.]

### Laboratories Approved to Perform Blood Lead and/or Erythrocyte Protoporphyrin Determinations Under the Clinical Laboratory Act

The following laboratories are licensed in accordance with the Clinical Laboratory Act (35 P. S. §§ 2151—2165) and/or the Federal Clinical Laboratory Improvement Act of 1967 (42 U.S.C.A. § 263a), and are currently approved under 28 Pa. Code § 5.50 (relating to approval to provide special analytical services) to perform analyses of blood for lead or erythrocyte protoporphyrin content. This approval is based on demonstrated proficiency in periodic evaluations conducted by the Bureau of Laboratories of the Department of Health (Department).

Lead poisoning is a reportable noncommunicable disease. Approved laboratories which offer blood lead or erythrocyte protoporphyrin testing services are required to inform the Department of actual or possible incidents of this condition in accordance with 28 Pa. Code § 27.4 (relating to reportable noncommunicable diseases and conditions). In addition, the Department requests labora-

tories to submit reports on children under 6 years of age and pregnant women, on whom laboratory tests confirm venous blood lead concentrations of 15 micrograms per deciliter or higher. The Department's collection and review of these latter reports would be consistent with the most recent revision of the guideline titled *Preventing Lead Poisoning in Young Children*, which was published in 1991 by the United States Department of Health and Human Services, Public Health Service, Centers for Disease Control and Prevention, and is available from them.

Reports must be sent to the Department of Health, Division of Environmental Health, P. O. Box 90, Harrisburg, PA 17108. Report forms are available on request from the Division of Environmental Health.

Erythrocyte protoporphyrin determinations may be performed as an adjunct determination to substantiate blood lead levels of 25 micrograms per deciliter or higher. Since erythrocyte protoporphyrin concentrations may not increase as a result of low level exposures to lead, direct blood lead analysis is the only reliable method for identifying individuals with blood lead concentrations below 25 micrograms per deciliter.

Persons seeking blood lead or erythrocyte protoporphyrin analyses should determine that the laboratory employs techniques and procedures acceptable for the purpose for which the analyses are sought. Laboratories offering blood lead analysis only are designated with the letter "L" following the name of the laboratory. Those offering erythrocyte protoporphyrin analysis only are designated with the letter "P." Laboratories offering both services are designated with the letters "LP."

Blood lead analyses performed for occupational safety and health purposes must be conducted by a laboratory which also meets the requirements of the Occupational Safety and Health Administration of the United States Department of Labor as specified in 29 CFR 1910.1025(j)(2)(iii).

The list of approved laboratories will be reviewed semiannually and if there are any changes to the list, a notice to that effect will be published in the *Pennsylvania Bulletin* at that time.

The Department's blood lead proficiency testing program is approved by the United States Department of Health and Human Services in accordance with the requirements contained in the Clinical Laboratory Improvement Amendments of 1988 (42 CFR 493.901 and 493.937) which are administered by the Health Care Financing Administration. Participation in these programs may therefore be used to demonstrate acceptable performance for approval purposes under both Federal and Commonwealth statutes.

Questions regarding this list should be directed to Dr. M. Jeffery Shoemaker, Director, Division of Chemistry and Toxicology, Department of Health, Bureau of Laboratories, P. O. Box 500, Exton, PA 19341-0500, (610) 280-3464, ext. 3273.

Persons with a disability who require auxiliary aid service should contact Dr. Shoemaker at V/TT: (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT & T Relay Service at (800) 654-5984 [TT].

ALLEG CNTY CORONERS DIV OF LABS-L  
3441 FORBES AVE OAKLAND  
DIVISION OF LABS PUBLIC HLTH SEC  
PITTSBURGH, PA 15213  
(412) 578-8072

AMERICAN MEDICAL LABORATORIES-LP  
14225 NEWBROOK DRIVE  
PO BOX 10841  
CHANTILLY, VA 20153-0841  
(703) 802-6900

ANGELINE KIRBY MEM HEALTH CENTER-L  
71 NORTH FRANKLIN STREET  
WILKES BARRE, PA 18701  
(717) 823-5450

ASSOCIATED REGIONAL & UNIV PATH-LP  
500 CHIPETA WAY  
SALT LAKE CITY, UT 84108  
(800) 242-2787

AURORA CONSOLIDATED LABORATORIES-LP  
8901 WEST LINCOLN AVE  
WEST ALLIS, WI 53227  
(414) 328-7945

CHILDRENS HOSP OF PHILADELPHIA-P  
ONE CHILDREN'S CENTER 34TH & CIVIC  
PHILADELPHIA, PA 19104  
(215) 590-1000

CLINICAL LABORATORIES INC-LP  
901 KEYSTONE INDUSTRIAL PARK  
THROOP, PA 18512-1534  
(717) 346-1759

EAST PENN MFG CO INC-LP  
DEKA RD KELLER TECH CENTER  
LYONS STATION, PA 19536  
(610) 682-6361

ELLWOOD CITY GENERAL HOSPITAL-LP  
724 PERSHING ST  
ELLWOOD CITY, PA 16117  
(724) 752-0081

GEISINGER MEDICAL CENTER-L  
N ACADEMY RD  
DANVILLE, PA 17822  
(717) 271-6338

GREAT SMOKIES DIAGNOSTIC LAB-L  
63 ZILLICOA STREET  
ASHEVILLE, NC 28801  
(828) 253-0621

HAGERSTOWN MEDICAL LABORATORY-L  
11110 MEDICAL CAMPUS RD STE 230  
HAGERSTOWN, MD 21742  
(301) 790-8670

HEALTH NETWORK LABORATORIES-LP  
2024 LEHIGH STREET  
ALLENTOWN, PA 18103-4798  
(610) 402-8150

LAB CORP OF AMERICA HOLDINGS-LP  
6370 WILCOX ROAD  
DUBLIN, OH 43016-1296  
(800) 282-7300

LAB CORP OF AMERICA HOLDINGS-LP  
1447 YORK COURT  
BURLINGTON, NC 27215  
(800) 334-5161

LABCORP OF AMERICA HOLDINGS-LP  
69 FIRST AVE PO BOX 500  
RARITAN, NJ 08869  
(201) 526-2400

LABONE INC-LP  
10101 RENNER BOULEVARD  
LENEXA, KS 66219-9752  
(913) 888-1770

LABORATORY CORP OF AMERICA-L  
13900 PARK CENTER ROAD  
HERNDON, VA 20171  
(703) 742-3100

LEADTECH CORPORATION-L  
ONE MARINE PLAZA  
NORTH BERGEN, NJ 07047  
(201) 868-7707

MAIN LINE CLIN LABS LANKENAU CP-L  
100 EAST LANCASTER AVENUE  
WYNNEWOOD, PA 19096  
(610) 645-2615

MAYO CLINIC-LP  
200 FIRST ST SW HILTON 530  
ROCHESTER, MN 55905  
(507) 284-8626

MEDICAL ASSOCIATES PC-P  
935 HIGHLAND BLVD SUITE 4400  
BOZEMAN, MT 59715  
(406) 587-5123

MEDTOX LABORATORIES INC-LP  
402 WEST COUNTY ROAD D  
ST PAUL, MN 55112  
(612) 636-7466

MERCY HEALTH LAB/MFH-L  
1500 LANSDOWNE AVENUE  
DARBY, PA 19023  
(610) 237-4262

MERCY HOSPITAL LABORATORY-L  
PRIDE & LOCUST STS  
PITTSBURGH, PA 15219  
(412) 232-7831

NATIONAL MED SERVICES INC LAB-LP  
3701 WELSH ROAD  
WILLOW GROVE, PA 19090  
(215) 657-4900

OMEGA MEDICAL LABORATORIES INC-L  
2001 STATE HILL ROAD SUITE 100  
WYOMISSING, PA 19610-1699  
(610) 378-1900

PACIFIC TOXICOLOGY LABORATORIES-LP  
6160 VARIEL AVENUE  
WOODLAND HILLS, CA 91367  
(818) 598-3110

PENNSYLVANIA DEPT OF HEALTH-LP  
110 PICKERING WAY  
LIONVILLE, PA 19353  
(610) 280-3464

POCONO MEDICAL CENTER LAB-L  
206 EAST BROWN STREET  
EAST STROUDSBURG, PA 18301  
(717) 476-3544

PRIMARY CARE HLTH SERV INC LAB-L  
7227 HAMILTON AVE  
PITTSBURGH, PA 15208  
(412) 244-4728

PUBLIC HEALTH LAB CITY OF PHILA-L  
500 SOUTH BROAD STREET  
PHILADELPHIA, PA 19146  
(215) 685-6811

QUEST DIAGNOSTICS CLIN LABS INC-LP  
7600 TYRONE AVENUE  
VAN NUYS, CA 91405  
(818) 376-6195

QUEST DIAGNOSTICS CLINICAL LABS INC-LP  
900 BUSINESS CENTER DRIVE  
HORSHAM, PA 19044  
(215) 957-9300

QUEST DIAGNOSTICS INCORPORATED-LP  
ONE MALCOLM AVENUE  
TETERBORO, NJ 07608  
(201) 393-5602

QUEST DIAGNOSTICS INCORPORATED-LP  
33608 ORTEGA HIGHWAY  
SAN JUAN CAPISTRANO, CA 92690-6130  
(949) 728-4000

QUEST DIAGNOSTICS OF PA INC-LP  
875 GREENTREE RD 4 PARKWAY CENTER  
PITTSBURGH, PA 15220-3610  
(412) 920-7600

QUEST DIAGNOSTICS VENTURE LLC-L  
875 GREENTREE ROAD  
4 PARKWAY CENTER  
PITTSBURGH, PA 15220-3610  
(412) 920-7631

READING HOSPITAL & MED CTR-L  
6TH AND SPRUCE STREETS  
WEST READING, PA 19611  
(610) 988-8080

SPECIALTY LABORATORIES-L  
2211 MICHIGAN AVENUE  
SANTA MONICA, CA 90404  
(310) 828-6543

ST JOSEPH QUALITY MEDICAL LAB-L  
215 NORTH 12TH STREET BOX 316  
READING, PA 19603  
(610) 378-2200

TAMARAC MEDICAL-LP  
7000 SOUTH BROADWAY SUITE 2C  
LITTLETON, CO 80122  
(303) 794-1083

TOXI-CON LABORATORY-LP  
201 SMALLCOMBE DRIVE  
SCRANTON, PA 18508  
(570) 963-0722

UPMC PRESBYTERIAN CLINICAL LABORATORIES-L  
ROOM 5929 MAIN TOWER CHP  
200 LOTHROP STREET  
PITTSBURGH, PA 15213-2582  
(412) 648-6000

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1514. Filed for public inspection August 17, 2001, 9:00 a.m.]

### **Request for Exception; Long-Term Care Nursing Facilities**

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.18(e) (relating to management):

Phoenixville Hospital of the University of Pennsylvania Health System  
140 Nutt Road, P. O. Box 809  
Phoenixville, PA 19460-0809



The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

Dunmore Health Care Center, Inc.  
900 Mill Street  
Dunmore, PA 18512

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 211.12(f)(1) (relating to nursing services):

Old Orchard Health Care Center  
4100 Freemansburg Avenue  
Easton, PA 18045

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax: (717) 772-2163, e-mail address: PAEXCEPT@HEALTH.STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the division and address previously listed.

Comments received by the Department within 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid service or other accommodation to do so, should contact V/TT: (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1515. Filed for public inspection August 17, 2001, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Ongoing List of Behavioral Health Managed Care Organizations

The Department of Public Welfare's (Department) is maintaining an ongoing list of qualified behavioral health managed care organizations (BH-MCO) as potential contractors for the HealthChoices Behavioral Health Program (HCBHP) and requesting new submissions for consideration. The development of this list was introduced at 31 Pa.B. 888 (February 10, 2001) as the first step in a two-step process for obtaining a behavioral health contractor, should the need arise. HCBHP is a mandatory managed care program for Medicaid recipients in this Commonwealth. Additional information about HCBHP is available at the Department's website [www.dpw.state.pa.us/omap/dpwomap.asp](http://www.dpw.state.pa.us/omap/dpwomap.asp)

The list of qualified BH-MCOs would be utilized in the following circumstances:

\* Contract negotiations with a potential contractor selected through a Request for Proposal (RFP) process fail;

\* A potential contractor selected through a RFP process fails the Readiness Review process; or

\* An existing contractor terminates the contract or is terminated by the Department.

As stated in the previous announcement, the list of qualified BH-MCOs will be opened periodically for new submissions. New submissions are being requested from MCOs not currently included on the list. MCOs selected for the list of qualified bidders will remain active on the list for 2 years. After 2 years they will be required to resubmit information.

The following is a list of requirements necessary to qualify as a potential HCBHP contractor:

\* One year experience with a State behavioral health Medicaid program.

\* Not currently under suspension or debarment by the Commonwealth or any other state or Federal government.

\* Licensed by the Departments of Health and Insurance of the Commonwealth.

\* Management Information System (MIS) experience in processing UB 92 and HCFA 1500 forms.

\* MIS capacity to produce person-level encounter data in compliance with the HCBHP requirements.

To apply as a potential HCBHP contractor, submit a letter of interest on official corporate letterhead by September 28, 2001, to Karen Rosenthal, Office of Mental Health and Substance Abuse Services, Room 236, Beechmont Building, P. O. Box 2675, Harrisburg, PA 17105. Letters may be faxed to (717) 772-7964.

Submit the following information to the Department of Public Welfare, Division of Procurement, P. O. Box 2675, Room 106, Health and Welfare Building, Commonwealth and Forster St., Harrisburg, PA 17105-2675 by 2 p.m. October 26, 2001.

#### List of Deliverables:

1. Describe experience in providing services to Medicaid recipients including:

\* Type of behavioral health (mental health and drug and alcohol) services covered.

\* Description of categories of aid/population covered.

\* Number of years experience with Medicaid programs.

2. Provide a report on the number of claims processed (for Medicaid population) in the most recent 6-month period, including timeliness of processing clean claims and the number of claims paid/rejected.

3. Provide a flow chart of the MIS.

4. Provide a file layout/specification of a person-level encounter report.

5. Provide a copy of current Commonwealth license from the Departments of Health and Insurance.

6. Provide a copy of the most recent audited, annual filing with a state insurance department.

7. Provide a copy of the most recent annual audited company financial statement.

8. Outline a plan to start up or expand (if currently operating in this Commonwealth) operations in this Commonwealth.

9. Provide the name, address and phone number of three references familiar with the MCOs operations (one must provide reference from a State Medicaid program).

Department staff will verify the information submitted by the MCOs. As part of the verification process, the Department may conduct an onsite visit. Each MCO will be notified of its qualification status.

The second step of the process is outlined in the event that the list is utilized to obtain a contractor. The Department will:

- \* Contact the vendors on the list and verify their continued interest in obtaining a HCBHP contract.
- \* Inform the vendors of the county or counties requiring a BH-MCO contractor.
- \* Release a procurement document that contains the requirements for the HCBHP to the interested vendors on the list along with instructions on how to submit a bid.
- \* Evaluate all responses to the procurement document and select a contractor.

The previous two-step process will not replace the RFP process to obtain a HCBHP contract in the remainder of the State. The procurement process for the Northeast, Northwest, Southwest Expansion and the Central zones will follow the same procedure as followed in the Southeast, Southwest and Lehigh/Capital zones, which required a response to a RFP.

Any questions may be directed to Raymond Klabe, Office of Mental Health and Substance Abuse Services, Room 247, Beechmont Building, P. O. Box 2675, Harrisburg, PA 17105, (717) 772-7984, fax: (717) 772- 7964.

Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD Users) or (800) 654-5988 (Voice Users). Persons who require an alternate format should contact Thomas Vracarich, Office of Legal Counsel, (717) 783-2209.

FEATHER O. HOUSTOUN,  
*Secretary*

[Pa.B. Doc. No. 01-1516. Filed for public inspection August 17, 2001, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Candy Cane Cash Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314), and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Candy Cane Cash.

2. *Price:* The price of a Pennsylvania Candy Cane Cash instant lottery game ticket is \$1.00.

3. *Play Symbols:* Each Pennsylvania Candy Cane Cash instant lottery game ticket will contain one play area. The play symbols and their captions located in the play area are: \$1<sup>.00</sup> (ONE DOL), \$2<sup>.00</sup> (TWO DOL), \$3<sup>.00</sup> (THR DOL), \$5<sup>.00</sup> (FIV DOL), \$10<sup>.00</sup> (TEN DOL), \$15\$ (FIFTN), \$30\$ (THIRTY), \$40\$ (FORTY), \$100 (ONE HUN) and \$500 (FIV HUN).

4. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$3, \$5, \$10, \$15, \$30, \$40, \$100 and \$500.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 15,600,000 tickets will be printed for the Pennsylvania Candy Cane Cash instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets with three matching play symbols of \$500 (FIV HUN) in the play area on a single ticket, shall be entitled to a prize of \$500.

(b) Holders of tickets with three matching play symbols of \$100 (ONE HUN) in the play area on a single ticket, shall be entitled to a prize of \$100.

(c) Holders of tickets with three matching play symbols of \$40\$ (FORTY) in the play area on a single ticket, shall be entitled to a prize of \$40.

(d) Holders of tickets with three matching play symbols of \$30\$ (THIRTY) in the play area on a single ticket, shall be entitled to a prize of \$30.

(e) Holders of tickets with three matching play symbols of \$15\$ (FIFTN) in the play area on a single ticket, shall be entitled to a prize of \$15.

(f) Holders of tickets with three matching play symbols of \$10<sup>.00</sup> (TEN DOL) in the play area on a single ticket, shall be entitled to a prize of \$10.

(g) Holders of tickets with three matching play symbols of \$5<sup>.00</sup> (FIV DOL) in the play area on a single ticket, shall be entitled to a prize of \$5.

(h) Holders of tickets with three matching play symbols of \$3<sup>.00</sup> (THR DOL) in the play area on a single ticket, shall be entitled to a prize of \$3.

(i) Holders of tickets with three matching play symbols of \$2<sup>.00</sup> (TWO DOL) in the play area on a single ticket, shall be entitled to a prize of \$2.

(j) Holders of tickets with three matching play symbols of \$1<sup>.00</sup> (ONE DOL) in the play area on a single ticket, shall be entitled to a prize of \$1.

7. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Get</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 15,600,000 Tickets</i>
3-\$1	\$1	1:6.19	2,522,000
3-\$2	\$2	1:20	780,000
3-\$3	\$3	1:60	260,000
3-\$5	\$5	1:60	260,000
3-\$10	\$10	1:71.43	218,400
3-\$15	\$15	1:600	26,000
3-\$30	\$30	1:1,714	9,100

<i>Get</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 15,600,000 Tickets</i>
3-\$40	\$40	1:2,667	5,850
3-\$100	\$100	1:30,000	520
3-\$500	\$500	1:120,000	130

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Candy Cane Cash instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

9. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Candy Cane Cash, prize money from winning Pennsylvania Candy Cane Cash instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Candy Cane Cash instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

10. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), the regulations contained in 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

11. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Candy Cane Cash or through normal communications methods.

LARRY P. WILLIAMS,  
*Secretary*

[Pa.B. Doc. No. 01-1517. Filed for public inspection August 17, 2001, 9:00 a.m.]

## Pennsylvania Jack O'Lantern Cash Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314), and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Jack O'Lantern Cash.

2. *Price:* The price of a Pennsylvania Jack O'Lantern Cash instant lottery game ticket is \$5.00.

### 3. *Play Symbols:*

(a) Each Pennsylvania Jack O'Lantern Cash instant lottery game ticket will contain three play areas known as "Game 1," "Game 2" and "Game 3" respectively. Each game has a different game play method and is played separately. Each Pennsylvania Jack O'Lantern Cash instant lottery game ticket will also contain a "Fast Cash Bonus" area.

(b) The play symbols and their captions located in the play area for "Game 1" are: \$5<sup>.00</sup> (FIV DOL), \$6<sup>.00</sup> (SIX

DOL), \$7<sup>.00</sup> (SVN DOL), \$10<sup>.00</sup> (TEN DOL), \$13\$ (THRTN), \$31\$ (TRY ONE), \$39\$ (TRY NIN), \$62\$ (SXY TWO), \$310 (THRHUNTEN) and \$130,000 (ONETRYTHO).

(c) The play symbols and their captions located in the play area for "Game 2" are: Cat Symbol (CAT) and an X Symbol (XXX).

(d) The play area for "Game 3" will contain a "Your Symbols" area and a "Lucky Symbol" area. The play symbols and their captions located in the "Your Symbols" area and the "Lucky Symbol" area in the play area for "Game 3" are: Hat Symbol (HAT), Pumpkin Symbol (PUMKIN), Spider Symbol (SPIDER), Skull Symbol (SKULL), Candelabra Symbol (CANDLE), Frog Symbol (FROG), Bat Symbol (BAT) and Snake Symbol (SNAKE).

### 4. *Prize Play Symbols:*

(a) The prize play symbols and their captions located in the "Prize" area for "Game 2" are: \$5<sup>.00</sup> (FIV DOL), \$6<sup>.00</sup> (SIX DOL), \$7<sup>.00</sup> (SVN DOL), \$10<sup>.00</sup> (TEN DOL), \$13\$ (THRTN), \$31\$ (TRY ONE) and \$39\$ (TRY NIN).

(b) The prize play symbols and their captions located in the six "Prize" areas for "Game 3" are: \$5<sup>.00</sup> (FIV DOL), \$6<sup>.00</sup> (SIX DOL), \$7<sup>.00</sup> (SVN DOL), \$10<sup>.00</sup> (TEN DOL), \$13\$ (THRTN), \$78\$ (SVY EGT) and \$130,000 (ONETRYTHO).

(c) The prize play symbols and their captions located in the "Fast Cash Bonus" area are: \$13\$ (THRTN), \$31\$ (TRY ONE) and TRY AGAIN.

5. *Prizes:* The prizes that can be won in "Game 1" are \$5, \$6, \$7, \$10, \$13, \$31, \$39, \$62, \$310 and \$130,000. The prizes that can be won in "Game 2" are \$5, \$6, \$7, \$10, \$13, \$31 and \$39. The prizes that can be won in "Game 3" are \$5, \$6, \$7, \$10, \$13, \$78 and \$130,000. The prizes that can be won in the "Fast Cash Bonus" area are \$13 and \$31. The player can win up to seven times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 1,320,000 tickets will be printed for the Pennsylvania Jack O'Lantern Cash instant lottery game.

### 7. *Determination of Prize Winners:*

(a) Determination of prize winners for "Game 1" are:

(1) Holders of tickets with three matching play symbols of \$130,000 (ONETRYTHO) in the play area, on a single ticket, shall be entitled to a prize of \$130,000.

(2) Holders of tickets with three matching play symbols of \$310 (THRHUNTEN) in the play area, on a single ticket, shall be entitled to a prize of \$310.

(3) Holders of tickets with three matching play symbols of \$62\$ (SXY TWO) in the play area, on a single ticket, shall be entitled to a prize of \$62.

(4) Holders of tickets with three matching play symbols of \$39\$ (TRY NIN) in the play area, on a single ticket, shall be entitled to a prize of \$39.

(5) Holders of tickets with three matching play symbols of \$31\$ (TRY ONE) in the play area, on a single ticket, shall be entitled to a prize of \$31.

(6) Holders of tickets with three matching play symbols of \$13\$ (THRTN) in the play area, on a single ticket, shall be entitled to a prize of \$13.

(7) Holders of tickets with three matching play symbols of \$10<sup>00</sup> (TEN DOL) in the play area, on a single ticket, shall be entitled to a prize of \$10.

(8) Holders of tickets with three matching play symbols of \$7<sup>00</sup> (SVN DOL) in the play area, on a single ticket, shall be entitled to a prize of \$7.

(9) Holders of tickets with three matching play symbols of \$6<sup>00</sup> (SIX DOL) in the play area, on a single ticket, shall be entitled to a prize of \$6.

(10) Holders of tickets with three matching play symbols of \$5<sup>00</sup> (FIV DOL) in the play area, on a single ticket, shall be entitled to a prize of \$5.

(b) Determination of prize winners for "Game 2" are:

(1) Holders of tickets with three matching Cat Symbol (CAT) play symbols in the same row, column or diagonal, and a prize play symbol of \$39\$ (TRY NIN) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$39.

(2) Holders of tickets with three matching Cat Symbol (CAT) play symbols in the same row, column or diagonal, and a prize play symbol of \$31\$ (TRY ONE) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$31.

(3) Holders of tickets with three matching Cat Symbol (CAT) play symbols in the same row, column or diagonal, and a prize play symbol of \$13\$ (THRTN) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$13.

(4) Holders of tickets with three matching Cat Symbol (CAT) play symbols in the same row, column or diagonal, and a prize play symbol of \$10<sup>00</sup> (TEN DOL) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$10.

(5) Holders of tickets with three matching Cat Symbol (CAT) play symbols in the same row, column or diagonal, and a prize play symbol of \$7<sup>00</sup> (SVN DOL) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$7.

(6) Holders of tickets with three matching Cat Symbol (CAT) play symbols in the same row, column or diagonal, and a prize play symbol of \$6<sup>00</sup> (SIX DOL) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$6.

(7) Holders of tickets with three matching Cat Symbol (CAT) play symbols in the same row, column or diagonal, and a prize play symbol of \$5<sup>00</sup> (FIV DOL) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$5.

(c) Determination of prize winners for "Game 3" are:

(1) Holders of tickets where any one of the "Your Symbols" play symbols matches the "Lucky Symbol" play symbol and a prize play symbol of \$130,000 (ONETRYTHO) appears in the "Prize" area under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$130,000.

(2) Holders of tickets where any one of the "Your Symbols" play symbols matches the "Lucky Symbol" play symbol and a prize play symbol of \$78\$ (SVY EGT) appears in the "Prize" area under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$78.

(3) Holders of tickets where any one of the "Your Symbols" play symbols matches the "Lucky Symbol" play symbol and a prize play symbol of \$13\$ (THRTN) appears in the "Prize" area under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$13.

(4) Holders of tickets where any one of the "Your Symbols" play symbols matches the "Lucky Symbol" play symbol and a prize play symbol of \$10<sup>00</sup> (TEN DOL) appears in the "Prize" area under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(5) Holders of tickets where any one of the "Your Symbols" play symbols matches the "Lucky Symbol" play symbol and a prize play symbol of \$7<sup>00</sup> (SVN DOL) appears in the "Prize" area under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$7.

(6) Holders of tickets where any one of the "Your Symbols" play symbols matches the "Lucky Symbol" play symbol and a prize play symbol of \$6<sup>00</sup> (SIX DOL) appears in the "Prize" area under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$6.

(7) Holders of tickets where any one of the "Your Symbols" play symbols matches the "Lucky Symbol" play symbol and a prize play symbol of \$5<sup>00</sup> (FIV DOL) appears in the "Prize" area under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(d) Determination of prize winners for the "Fast Cash Bonus" are:

(1) Holders of tickets with a prize play symbol of \$31\$ (TRY ONE) in the "Fast Cash Bonus" area, on a single ticket, shall be entitled to a prize of \$31.

(2) Holders of tickets with a prize play symbol of \$13\$ (THRTN) in the "Fast Cash Bonus" area, on a single ticket, shall be entitled to a prize of \$13.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Fast \$ Bonus</i>	<i>Match 3 Amts Game 1</i>	<i>Tic-Tac-Toe Game 2</i>	<i>Key # Match Game 3</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 1,320,000 Tickets</i>
	\$5			\$5	1:18.75	70,400
		\$5		\$5	1:18.75	70,400
			\$5	\$5	1:18.75	70,400
	\$6			\$6	1:150	8,800
		\$6		\$6	1:150	8,800
			\$6	\$6	1:300	4,400

<i>Fast \$ Bonus</i>	<i>Match 3 Amts Game 1</i>	<i>Tic-Tac-Toe Game 2</i>	<i>Key # Match Game 3</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 1,320,000 Tickets</i>
	\$7			\$7	1:150	8,800
		\$7		\$7	1:150	8,800
			\$7	\$7	1:300	4,400
			\$5 x 2	\$10	1:37.5	35,200
	\$10			\$10	1:300	4,400
		\$10		\$10	1:300	4,400
		\$6		\$13	1:600	2,200
	\$6		\$7	\$13	1:600	2,200
	\$6	\$7		\$13	1:600	2,200
	\$7	\$6		\$13	1:600	2,200
	\$7		\$6	\$13	1:600	2,200
		\$7	\$6	\$13	1:600	2,200
\$13				\$13	1:42.86	30,800
	\$5	\$5	\$7 x 3	\$31	1:133.33	9,900
	\$13	\$13	\$5	\$31	1:600	2,200
\$13		\$13	\$5	\$31	1:200	6,600
\$13			\$6 x 3	\$31	1:143.71	9,185
	\$5	\$6	\$10 x 2	\$31	1:133.33	9,900
	\$10		\$7 x 3	\$31	1:133.33	9,900
\$31				\$31	1:240	5,500
\$13			\$13 x 2	\$39	1:20,000	66
\$13	\$6	\$7	\$13	\$39	1:20,000	66
	\$5	\$6	\$7 x 4	\$39	1:20,000	66
			\$7 x 3 + \$6 x 3	\$39	1:20,000	66
		\$39		\$39	1:120,000	11
\$31		\$31		\$62	1:120,000	11
	\$10	\$10	\$10 x 3 + \$6 x 2	\$62	1:60,000	22
\$13	\$5	\$5	\$13 x 3	\$62	1:60,000	22
\$31	\$10	\$7	\$7 x 2	\$62	1:60,000	22
	\$62			\$62	1:120,000	11
\$31		\$7	\$10 x 4	\$78	1:120,000	11
\$31	\$31	\$10	\$6	\$78	1:120,000	11
			\$13 x 6	\$78	1:120,000	11
	\$39	\$39		\$78	1:120,000	11
			\$78	\$78	1:120,000	11
	\$310			\$310	1:60,000	22
	\$130,000			\$130,000	1:1,320,000	1
			\$130,000	\$130,000	1:1,320,000	1

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Jack O'Lantern Cash instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Jack O'Lantern Cash, prize money from winning Pennsylvania Jack O'Lantern Cash instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Jack O'Lantern Cash instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), the regulations contained in 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets

from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Jack O'Lantern Cash or through normal communications methods.

LARRY P. WILLIAMS,  
Secretary

[Pa.B. Doc. No. 01-1518. Filed for public inspection August 17, 2001, 9:00 a.m.]

### Pennsylvania Mistletoe Doubler Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314), and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Mistletoe Doubler.

2. *Price:* The price of a Pennsylvania Mistletoe Doubler instant lottery game ticket is \$2.00.

3. *Play Symbols:* Each Pennsylvania Mistletoe Doubler instant lottery game ticket will contain one play area

featuring a "Winnings Numbers" area and a "Your Numbers" area. The play symbols and their captions located in the "Winning Numbers" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN) and 16 (SIXTN). The play symbols and their captions located in the "Your Numbers" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN) and a Tree Symbol (TREE).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the "Your Numbers" area are: \$2.<sup>00</sup> (TWO DOL), \$4.<sup>00</sup> (FOR DOL), \$5.<sup>00</sup> (FIV DOL), \$10.<sup>00</sup> (TEN DOL), \$20\$ (TWENTY), \$40\$ (FORTY), \$200 (TWO HUN), \$1,000 (ONE THO) and \$20,000 (TWY THO).

5. *Prizes:* The prizes that can be won in this game are \$2, \$4, \$5, \$10, \$20, \$40, \$200, \$1,000 and \$20,000. A player can win up to eight times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 8,160,000 tickets will be printed for the Pennsylvania Mistletoe Doubler instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$20,000 (TWY THO) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$20,000.

(b) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$1,000 (ONE THO) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Tree Symbol (TREE) and a prize play symbol of \$200 (TWO HUN) appears under the Tree Symbol (TREE) play symbol, on a single ticket, shall be entitled to a prize of \$400.

(d) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$200 (TWO HUN) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(e) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Tree Symbol (TREE) and a prize play symbol of \$40\$ (FORTY) appears under the Tree Symbol (TREE) play symbol, on a single ticket, shall be entitled to a prize of \$80.

(f) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$40\$

(FORTY) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(g) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Tree Symbol (TREE) and a prize play symbol of \$20\$ (TWENTY) appears under the Tree Symbol (TREE) play symbol, on a single ticket, shall be entitled to a prize of \$40.

(h) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$20\$ (TWENTY) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Tree Symbol (TREE) and a prize play symbol of \$10.<sup>00</sup> (TEN DOL) appears under the Tree Symbol (TREE) play symbol, on a single ticket, shall be entitled to a prize of \$20.

(j) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$10.<sup>00</sup> (TEN DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Tree Symbol (TREE) and a prize play symbol of \$5.<sup>00</sup> (FIV DOL) appears under the Tree Symbol (TREE) play symbol, on a single ticket, shall be entitled to a prize of \$10.

(l) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$5.<sup>00</sup> (FIV DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(m) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$4.<sup>00</sup> (FOR DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(n) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Tree Symbol (TREE) and a prize play symbol of \$2.<sup>00</sup> (TWO DOL) appears under the Tree Symbol (TREE) play symbol, on a single ticket, shall be entitled to a prize of \$4.

(o) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$2.<sup>00</sup> (TWO DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$2.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of Your Numbers Match Either Of The Winning Numbers Win With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 8,160,000 Tickets</i>
\$2	\$2	1:5.91	1,381,760
\$4	\$4	1:166.67	48,960
\$2 x 2	\$4	1:107.14	76,160
\$2 (TREE)	\$4	1:21.43	380,800

<i>When Any Of Your Numbers Match Either Of The Winning Numbers Win With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 8,160,000 Tickets</i>
\$5	\$5	1:150	54,400
\$10	\$10	1:1,500	5,440
\$5 x 2	\$10	1:750	10,880
\$4 x 2 + \$2	\$10	1:500	16,320
\$2 x 5	\$10	1:500	16,320
\$5 (TREE)	\$10	1:136.36	59,840
\$20	\$20	1:1,500	5,440
\$5 x 4	\$20	1:750	10,880
\$4 x 5	\$20	1:750	10,880
\$10 x 2	\$20	1:300	27,200
\$10 (TREE)	\$20	1:75	108,800
\$40	\$40	1:12,000	680
\$5 x 8	\$40	1:5,714	1,428
\$10 x 4	\$40	1:12,000	680
\$20 (TREE)	\$40	1:6,000	1,360
\$200	\$200	1:40,000	204
\$40 x 5	\$200	1:40,000	204
\$40 x 4 + \$20 x 2	\$200	1:40,000	204
\$40 x 3 + \$40(TREE)	\$200	1:17,143	476
\$1,000	\$1,000	1:120,000	68
\$200 x 5	\$1,000	1:120,000	68
\$200 (TREE) + \$200 x 3	\$1,000	1:120,000	68
\$20,000 (TREE) = Doubler	\$20,000	1:1,360,000	6

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Mistletoe Doubler instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Mistletoe Doubler, prize money from winning Pennsylvania Mistletoe Doubler instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Mistletoe Doubler instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), the regulations contained in 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Mistletoe Doubler or through normal communications methods.

LARRY P. WILLIAMS,  
*Secretary*

[Pa.B. Doc. No. 01-1519. Filed for public inspection August 17, 2001, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Application for Lease of Right-of-Way

Notice is hereby given that pursuant to 67 Pa. Code sub-section 495.4(d), an application to lease highway right-of-way has been submitted to the Department by Marlin R. Brubaker, d/b/a Brubaker Auto Sales, of 303 West Lincoln Avenue, Myerstown PA 17067.

Seeking to lease highway right-of-way located at 391 West Lincoln Avenue, Myerstown, PA in the Township of Jackson and Borough of Myerstown, Lebanon County, Pennsylvania.

.1438 acre +/- adjacent to S. R. 422 a/k/a L. R. 140 Section(s) 3, for the purpose of parking.

Interested persons are invited to submit, within thirty (30) days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions and/or objections regarding the approval of this application to Barry G. Hoffman, P. E., District Engineer, Engineering District 8-0., 2140 Herr Street, Harrisburg, PA 17103-1699.

Questions regarding this application or the proposed use may be directed to:

George Achenbach  
Right-of-Way Representative  
2140 Herr Street  
Harrisburg, PA 17103-1699  
(717) 772-5117

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 01-1520. Filed for public inspection August 17, 2001, 9:00 a.m.]

## Approved Speed-Timing Devices and Appointment of Maintenance and Calibration Stations

[Addendum]

The Department of Transportation, Bureau of Motor Vehicles, under the authority of Section 3368 of the Vehicle Code (75 Pa. C.S. § 3368), published at 31 Pa.B. 706 on February 3, 2001, a notice of speed timing devices and maintenance and calibration stations approved for use until the next comprehensive list is published and subject to interim amendment.

The notice requires additional clarification. The list of electronic speed-timing devices approved, for use only by members of the State Police, included devices identified as KR-10 and KR-10SP Stationary Radar manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa Kansas 66214. Prior to July 30, 1990, KR-10 and KR-10SP Stationary Radar were manufactured under the corporate name of Kustom Electronics, Incorporated, 8320 Nieman Road, Lenexa, Kansas 66214, and were approved speed-timing devices.

Since the devices currently in use may indicate either of these manufacturer names on the device housing, dependent on the device's date of manufacture, the Department includes both manufacturer names in the notice for the purpose of clarity.

By the authority contained in 75 Pa.C.S. § 3368(c)(2), the Department hereby gives notice of the addition of the following speed-timing devices to the list of approved electronic speed timing devices (radar) when used in the stationary mode only:

(1) KR-10, Stationary Radar (identified on the housing as KR-10). Manufactured by Kustom Electronics, Incorporated, 8320 Nieman Road, Lenexa, Kansas 66214.

(2) KR-10SP, Stationary Radar (identified on the housing as KR-10SP). Manufactured by Kustom Electronics, Incorporated, 8320 Nieman Road, Lenexa, Kansas 66214.

Other approved speed-timing devices and appointment of maintenance and calibration stations appear at 31 Pa.B. 706 (February 3, 2001).

Comments, suggestions or questions may be directed to Peter Gertz, Manager, Administrative and Technical Support Section, Vehicle Inspection Division, Bureau of Motor Vehicles, Riverfront Office Center, 1101 South Front Street, Harrisburg, PA 17104, or by telephoning (717) 783-5842.

BRADLEY L. MALLORY  
*Secretary*

[Pa.B. Doc. No. 01-1521. Filed for public inspection August 17, 2001, 9:00 a.m.]

## Disadvantaged Business Enterprise Participation in FAA Funded Contracts

Under the authority contained in the Transportation Act for the 21st Century, act of June 9, 1998, Pub. L. No. 105-178, 112 Stat. 113 (23 U.S.C.A. § 101), and in keeping with the requirements of Part 26 of Title 49 of the *Code of Federal Regulations*, the Pennsylvania Department of Transportation (Department) provides public notice of its revised goal for participation by Disadvantaged Business Enterprises (DBEs) in its Federally assisted contracts.

Pending receipt of public comments, the Department's revised goal is a work in progress. However, the Department proposes an overall goal of 9.39% for DBE participation in Department contracts funded in whole or in part with Federal moneys.

As a recipient of Federal funds from the United States Department of Transportation (US DOT) through its agencies, including the Federal Aviation Administration, the Department must comply with the goal setting provisions of the new US DOT DBE regulation, set forth in 49 CFR Part 26, effective March 4, 1999. The Department is mandated to submit a goal and methodology for Federally assisted contracts in accordance with the provisions of 49 CFR Sections 26.45 and 26.51. The goal and methodology must be submitted to the Federal Highway Administration by August 1, 2001. An important part of this process is providing notice to the public concerning the goal and methodology used to arrive at the final goal and affording the public the opportunity to provide comments on the goal proposal.

To comply with the goal setting provisions of the new DBE regulation, the Department employed the two-step process outlined in 49 CFR 26.45. Under step one, PENNDOT baseline goal using the goals of sub-recipient airports meeting the \$250,000 threshold. U. S. DOT regulations allow recipients to "use the goal of another DOT recipient" (49 CFR 26.45 c (4)) to establish a step-1 baseline goal. The first step in identifying qualifying recipients was to determine which recipients had received block grants of \$250,000 or more for in Airport Improvement Grants. However, only four subrecipient airports had FAA approved goals. Given this, the Department created "working goals" for the other airports for the purpose of computing a Department-wide baseline goal.

The goals for the other airports were created by averaging the approved goals of airports within a 100-mile radius of the subrecipient. When these goals are weighted according to the amount of Federal moneys they receive, they yield the step-1 baseline goal.

Under Step-2 of the goal setting process, the Department examined all relevant evidence in its jurisdiction to determine what adjustments, up or down, were needed to arrive at the overall goal. Step 2 necessarily took into account other conditions or variables impacting DBEs in the Commonwealth. As part of the adjustment phase, the Department gave due consideration to the specific types of work being contracted under the various AIG block grants.

Consistent with the public participation requirement for this process, the Department is making the proposed revised goal and methodology available for inspection and review for 45 days from the date of this notice. The Department considers the overall goal and methodology a work in progress pending input from the public. To review the DBE goal documents, contact any of the following locations:

Bureau of Equal Opportunity  
Commonwealth Keystone Building  
400 North Street, 5th Floor  
Harrisburg, PA 17101  
717-787-5891  
Attn.: Jocelyn I. Harper

Engineering District 1-0  
255 Elm Street, PO Box 398  
Oil City, PA 16301-398  
814-678-7105  
Attn.: John L. Baker, PE



Engineering District 2-0  
1924-30 Daisy Street  
Clearfield, PA 16830  
814-765-0400  
Attn.: George M. Khoury, PE

Engineering District 3-0  
715 Jordan Avenue  
Montoursville, PA 17754  
570-368-8686  
Attn.: James A. Kendter, PE

Engineering District 4-0  
O'Neill Highway, PO Box 111  
Dunmore, PA 18512  
570-963-4061  
Attn.: Charles M. Mattei, PE

Engineering District 5-0  
1713 Lehigh Street  
Allentown, PA 18103  
610-798-4100  
Attn.: Walter E. Bortree, PE

Engineering District 6-0  
7000 Geerdes Blvd.  
King of Prussia, PA 19406  
610-205-6660  
Attn.: Andrew L. Warren

Engineering District 8-0  
2140 Herr Street  
Harrisburg, PA 17103-1699  
717-787-6653  
Attn.: Barry G. Hoffman, PE

Engineering District 9-0  
North Juniata Street, PO Box 69.  
Hollidaysburg, PA 16648  
814-696-7250  
Attn.: Earl L. Neiderheiser, PE

Engineering District 10-0  
250 Oakland Avenue, PO Box 429  
Indiana, PA 15701  
724-357-2806  
Attn.: Richard H. Hogg, PE

Engineering District 11-0  
45 Thoms Run Road  
Bridgeville, PA 15017  
412-429-5001  
Attn.: Raymond S. Hack, PE

Engineering District 12-0  
N. Gallatine Avenue Ext., PO Box 459  
Uniontown, PA 15401-0459  
724-439-7340  
Attn.: Michael H. Dufalla, PE

The document may also be reviewed online at the following website address: <http://pasdc.hbg.psu.edu/pasdc/dot/>

Comments, questions or suggestions regarding this notice may be directed in writing to Jocelyn I. Harper, Director, Bureau of Equal Opportunity, (717) 787-5891, Department of Transportation, Bureau of Equal Opportunity, P. O. Box 3251, Harrisburg, PA 17105-3251, Attn: Jocelyn I. Harper, Director FAX: 717-772-4026

All comments should be postmarked no later than October 2, 2001, for consideration.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 01-1522. Filed for public inspection August 17, 2001, 9:00 a.m.]

## Disadvantaged Business Enterprise Participation in FTA Funded Contracts

Under the authority contained in the Transportation Act for the 21st Century, Act of June 9, 1998, Pub. L. No 105-178, 112 Stat. 113 (23 U.S.C. § 101), and in keeping with the requirements of Part 26 of Title 49 of the Code of Federal Regulations, the Pennsylvania Department of Transportation (Department) provides public notice of its revised goal for participation by Disadvantaged Business Enterprises (DBEs) in its Federally assisted contracts.

Pending receipt of public comments, the Department's revised goal is a work in progress. However, the Department proposes an overall goal of 4.63 percent for DBE participation in Department contracts funded in whole or in part with Federal monies.

As a recipient of Federal funds from the United States Department of Transportation (US DOT) through its agencies, including the Federal Transit Administration, the Department must comply with the goal setting provisions of the new US DOT DBE regulation, set forth in 49 CFR Part 26, effective March 4, 1999. The Department is mandated to submit a goal and methodology for Federally assisted contracts in accordance with the provisions of 49 CFR Sections 26.45 and 26.51. The goal and methodology must be submitted to the Federal Highway Administration by August 1, 2001. An important part of this process is providing notice to the public concerning the goal and methodology used to arrive at the final goal and affording the public the opportunity to provide comments on the goal proposal.

To comply with the goal setting provisions of the new DBE regulation, the Department employed the two-step process outlined in 49 CFR Section 26.45. Under step one, PENNDOT created a baseline goal using the FTA approved goals of transit authorities throughout the Commonwealth. U.S. DOT regulations allow recipients to "use the goal of another DOT recipient" (49 CFR § 26.45 c (4)) to establish a step-1 baseline goal. The FTA-approved goals were averaged to produce PENNDOT's baseline goal.

Under Step-2 of the goal setting process, the Department examined all relevant evidence in its jurisdiction to determine what adjustments, up or down, were needed to arrive at the overall goal. Step 2 necessarily took into account other conditions or variables impacting DBEs in the Commonwealth. As part of the adjustment phase, the Department gave due consideration to the geographical location of the predominantly rural PENNDOT FTA sub-recipients.

Consistent with the public participation requirement for this process, the Department is making the proposed revised goal and methodology available for inspection and review for forty-five days from the date of this notice. The Department considers the overall goal and methodology a work in progress pending input from the public. To review the DBE goal documents, contact any of the following locations:

Bureau of Equal Opportunity  
Commonwealth Keystone Building  
400 North Street, 5th Floor  
Harrisburg, PA 17101  
717-787-5891  
Attn.: Jocelyn I. Harper

Engineering District 1-0  
255 Elm Street, PO Box 398  
Oil City, PA 16301-398  
814-678-7105  
Attn.: John L. Baker, PE

Engineering District 2-0  
1924-30 Daisy Street  
Clearfield, PA 16830  
814-765-0400  
Attn.: George M. Khoury, PE

Engineering District 3-0  
715 Jordan Avenue  
Montoursville, PA 17754  
570-368-8686  
Attn.: James A. Kendter, PE

Engineering District 4-0  
O'Neill Highway, PO Box 111  
Dunmore, PA 18512  
570-963-4061  
Attn.: Charles M. Mattei, PE

Engineering District 5-0  
1713 Lehigh Street  
Allentown, PA 18103  
610-798-4100  
Attn.: Walter E. Bortree, PE

Engineering District 6-0  
7000 Geerdes Blvd.  
King of Prussia, PA 19406  
610-205-6660  
Attn.: Andrew L. Warren

Engineering District 8-0  
2140 Herr Street  
Harrisburg, PA 17103-1699  
717-787-6653  
Attn.: Barry G. Hoffman, PE

Engineering District 9-0  
North Juniata Street, PO Box 69.  
Hollidaysburg, PA 16648  
814-696-7250  
Attn.: Earl L. Neiderheiser, PE

Engineering District 10-0  
250 Oakland Avenue, PO Box 429  
Indiana, PA 15701  
724-357-2806  
Attn.: Richard H. Hogg, PE

Engineering District 11-0  
45 Thoms Run Road  
Bridgeville, PA 15017  
412-429-5001  
Attn.: Raymond S. Hack, PE

Engineering District 12-0  
N. Gallatine Avenue Ext., PO Box 459  
Uniontown, PA 15401-0459  
724-439-7340  
Attn.: Michael H. Dufalla, PE

The document may also be reviewed online at the following website address: <http://pasdc.hbg.psu.edu/pasdc/dot/>

Comments, questions, or suggestions regarding this notice may be directed in writing to Jocelyn I. Harper, Director, Bureau of Equal Opportunity, Telephone Number (717) 787-5891, Pennsylvania Department of Transportation, Bureau of Equal Opportunity, P. O. Box 3251, Harrisburg, PA 17105-3251, Attn: Jocelyn I. Harper, Director FAX: 717-772-4026

All comments should be postmarked no later than October 2, 2001 for consideration.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 01-1523. Filed for public inspection August 17, 2001, 9:00 a.m.]

## Finding Clarion County

Pursuant to the provisions of 71 P. S. Section 2002(b), The Secretary of Transportation makes the following written finding:

The Federal Highway Administration, the Pennsylvania Department of Transportation and Clarion County are planning the construction of a new bridge to carry Bigley Road (T-576/T-573) over Toby Creek in Paint and Highland Townships, Clarion County. The previous bridge was destroyed during the July 1996 flood.

The project is located in State Game Lands No. 72 and will require the acquisition of right-of-way from State Game Lands No. 72, which is a Section 2002/Section 4(f) resource. It has been determined that there is no prudent and feasible alternative to the use of the resource and that necessary planning has been incorporated into the project to minimize harm to the resource.

Mitigation measures will be taken to minimize harm as stipulated in the Categorical Exclusion Evaluation (CEE)/Programmatic Section 4(f) Evaluation. Mitigation measures include the following:

- Implementation of an approved Erosion and Sedimentation Control Plan.
- Fill slopes of 1:1.5 (1.5:1) for the roadway embankments on the east and west approaches.
- Reduced total length of roadway approach improvements.
- Payment of fair market value of land acquired through implementation of the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970.
- Transfer abandoned right-of-way no longer needed for the proposed bridge and approaches back to the Pennsylvania Game Commission (PGC).
- Regrade and reseed all disturbed and abandoned bridge areas, including temporary construction easements, under the guidance of the PGC.
- Stockpile any tree eight (8) inches or greater in diameter in an area(s) designated by the PGC for timber sale.

The environmental, economic, social, and other effects of the proposed project as enumerated in Section 2002 of the Administrative Code, have been considered. It has been concluded that there is no feasible and prudent alternative to the project as designed and all reasonable steps have been taken to minimize such effects.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 01-1524. Filed for public inspection August 17, 2001, 9:00 a.m.]

# INDEPENDENT REGULATORY REVIEW COMMISSION

## Notice of Comments Issued

Section 5(d) and (g) of the Regulatory Review Act (71 P.S. § 745.5(d) and (g)) provide that the designated standing committees may issue comments within 20 days of the close of the public comment period, and the Independent Regulatory Review Commission (Commission) may issue comments within 10 days of the close of the committees' comment period. The Commission's Comments are based upon the criteria contained in subsection 5.1(h) and (i) of the Regulatory Review Act (71 P.S. § 745.5a(h) and (i)).

The Commission issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted by the date indicated.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Issued</i>	<i>Final-form Submission Deadline</i>
14-469	Department of Public Welfare Protective Services	08/02/01	07/02/03

(31 Pa.B. 2799 (June 2, 2001))

### Department of Public Welfare Regulation No. 14-469 Protective Services August 2, 2001

We submit for consideration the following objections and recommendations regarding this regulation. Each objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P.S. § 745.5a(h) and (i)) which have not been met. The Department of Public Welfare (Department) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by July 2, 2003, the regulation will be deemed withdrawn.

#### 1. Section 3490.4. Definitions.—Legislative intent; Reasonableness; Implementation procedures; Clarity.

This proposed regulation contains a new definition of "imminent risk." Several commentators, including the House Children and Youth Committee, and Senator Vincent Hughes, Minority Chair, Senate Public Health and Welfare Committee, expressed concerns with the possible breadth of the new definition.

What type of conduct does the Department intend to identify? How does the definition meet the legislative intent of the Child Protective Services Law (23 Pa.C.S.A. §§ 6301—6385)? Will the new definition increase the number of reports and the degree of intervention? The Department should address these concerns.

#### 2. Law enforcement officials.—Consistency with statute; Clarity.

The terms "law enforcement officials" or "appropriate law enforcement officials" are used in sections 3490.34(f), 3490.105a(b)(1), 3490.106a(f) and 3490.191(b)(1). These provisions relate to the release of confidential reports.

By both existing regulations at 55 Pa. Code § 3490.91(a)(9) and (10) and the statute at 23 Pa.C.S.A. § 6340(9), the release of child abuse reports to law enforcement officials is limited to specific situations such as when the information is relevant to an investigation of an alleged crime. The regulation should clearly identify that the only law enforcement officials who may receive child abuse reports are those investigating an alleged crime.

#### 3. Section 3490.60. Services available through the county agency.—Reasonableness; Consistency with other regulations; Clarity.

##### *Subsection (b) Multidisciplinary team.*

Subsection (b)(2) states that the county "shall make available a multidisciplinary team . . . to assist in the development of a family service plan for the child, *when appropriate*" [emphasis added]. However, an existing provision at section 3490.62 requires a county agency to arrange for a review by the multidisciplinary team (MDT) when the county receives a second report of child abuse involving the same victim.

Does "when appropriate" mean when there is a second report of child abuse involving the same victim? Alternatively, is the Department developing a new standard for the use of an MDT? The regulation should clearly explain when a county agency is to arrange for an MDT to assist in developing a family service plan. What benchmarks or indicators should be used in determining the need for an MDT?

##### *Subsection (c) Investigative team.*

This subsection replicates the words of the statute at 23 Pa.C.S.A. § 6365(c) by stating "[t]he county agency and the district attorney shall develop a protocol for the convening of investigative teams . . ." In addition, subsection (c)(3) states "[t]he district attorney shall convene an investigative team in accordance with the protocol."

Although the Department has the authority to require action by county agencies, it does not have authority over the district attorneys. Therefore, we question why the proposed regulation mandates action by the district attorneys. We suggest that the Department rephrase the proposed language in this section to require county agencies to work in conjunction with district attorneys. As an alternative, the subsection could reference the applicable subsection of the statute.

#### 4. Section 3490.70. Expunction and amendment of report by the county agency.—Clarity.

Existing language in subsection (a) states that a county agency will expunge a record of child abuse when it receives notification from ChildLine. However, the proposed subsection (b) requires that a child abuse record be maintained when a family is accepted for services. It is our understanding that subsection (b) is an exception to subsection (a). This is unclear. Language should be added to subsection (a) to reference subsection (b) as an exception.

#### 5. Section 3490.122. Responsibilities of an applicant, prospective operator or legal entity of a child care service.—Reasonableness; Clarity.

In subsection (d), the regulation states that a person may not be hired if he or she has been convicted of crime as specified at 23 Pa.C.S.A. § 6344, an equivalent crime under Federal law or an equivalent out-of-state crime "as determined by the Department." This language is vague. When and how will the Department make determinations

concerning the equivalency of crimes? The regulation should include the criteria for this determination.

JOHN R. MCGINLEY, Jr.,  
Chairperson

[Pa.B. Doc. No. 01-1525. Filed for public inspection August 17, 2001, 9:00 a.m.]

### Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulation on the date indicated. To obtain the date and time of the meeting at which the Commission will consider this regulation, contact the Commission at (717) 783-5417 or visit its website at [www.irrc.state.pa.us](http://www.irrc.state.pa.us). To obtain a copy of the regulation, contact the promulgating agency.

#### Final-Form

Reg. No.	Agency/Title	Received
35-26	Constables' Education and Training Board Constables' Education and Training	08/03/01

JOHN R. MCGINLEY, Jr.,  
Chairperson

[Pa.B. Doc. No. 01-1526. Filed for public inspection August 17, 2001, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Approval to Acquire Control

Fortis, Inc. has filed an application to acquire control of United Dental Care of Pennsylvania, Inc., a Commonwealth domiciled preferred provider organization that is not a licensed insurer. The filing was made under the requirements set forth under the Insurance Holding Companies Act, 40 P.S. § 991.1402, et seq. Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, by fax to (717) 787-8557 or by e-mail to [rbrackbill@state.pa.us](mailto:rbrackbill@state.pa.us).

M. DIANE KOKEN,  
Insurance Commissioner

[Pa.B. Doc. No. 01-1527. Filed for public inspection August 17, 2001, 9:00 a.m.]

### Blue Cross of Northeastern Pennsylvania, Pennsylvania Blue Shield and First Priority Health; Age-Gender-Industry Rating; Rate Filing

To achieve consistency in rating across the community rated product lines of Blue Cross of Northeastern Penn-

sylvania, Pennsylvania Blue Shield and First Priority Health, on July 9, 2001, these plans submitted a filing to request the Insurance Department's approval to utilize a common Age-Gender-Industry Rating methodology for Traditional, PPO (that is, Access Care II) and FPH (that is, HMO and POS) community rated groups. For new business, the methodology defines a "Community Rated" group as an employer group that has two eligible contracts up to a maximum of 50 eligible contracts for enrollment in BCNEPA/PBS (including Traditional and PPO) and/or FPH. For existing business, a "Community Rated" group will be defined as an employer group that has a minimum of two enrolled contracts up to a maximum of 50 enrolled contracts in any combination of BCNEPA/PBS and FPH.

The proposed Age-Gender-Industry Rating methodology will be applicable to the following community rated products: Blue Cross Basic, Blue Shield Medical-Surgical, Major Medical (with/without Rx), Blue Cross Prescription Drug Rider, Access Care II Hospital, Access Care II Rx Rider, Access Care II Medical-Surgical, First Priority Health HMO and First Priority Health POS. The proposed methodology will not be applicable to Blue Shield Dental and Vision Riders at this time. In addition, because its pool of subscribers already reflects a narrowly defined age pool, the methodology will not be used to adjust rates for the 65 Special Community group product.

This filing is available for public inspection during normal working hours on the 13th floor, Strawberry Square, Harrisburg PA 17120.

Interested parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones, Actuary, Insurance Department, Strawberry Square, Harrisburg, PA 17120 within 15 days after the publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
Insurance Commissioner

[Pa.B. Doc. No. 01-1528. Filed for public inspection August 17, 2001, 9:00 a.m.]

### Erie Insurance Exchange; Private Passenger Auto Insurance Rate and Rule Revision

On August 1, 2001, the Insurance Department (Department) received from Erie Insurance Exchange a filing for a proposed rate level and rules change for private passenger auto insurance.

The company requests an overall 5.0% increase amounting to \$33,007,000 annually to be effective January 1, 2002.

Unless formal administrative action is taken prior to September 30, 2001, the subject filing may be deemed approved by operation of law.

Copies of the filing will be available for public inspection, by appointment, during normal working hours at the Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Xiaofeng Lu, Insurance Department, Bureau of Regulation of Rates and Policies, Room 1311, Strawberry Square, Harrisburg, PA

17120 (e-mail: xlu@state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
Insurance Commissioner

[Pa.B. Doc. No. 01-1529. Filed for public inspection August 17, 2001, 9:00 a.m.]

17120 (e-mail at kcreighton@state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
Insurance Commissioner

[Pa.B. Doc. No. 01-1531. Filed for public inspection August 17, 2001, 9:00 a.m.]

### Independence Blue Cross; Filing No. 3-P-01; Nongroup Basic Blue Cross and Special Care

Independence Blue Cross has requested approval to increase its premium rates for its nongroup products as follows:

Product	Percentage Increase	Number of Contracts	Additional Annual Income
Basic Blue Cross	18%	9,400	3 Million
Special Care	14.3%	11,900	1.5 Million

An effective date of January 1, 2002, is requested.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's regional offices in Harrisburg and Philadelphia.

Interested parties are invited to submit written comments, suggestions or objections to Rashmi Mathur, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
Insurance Commissioner

[Pa.B. Doc. No. 01-1530. Filed for public inspection August 17, 2001, 9:00 a.m.]

### Progressive Northern Insurance Company; Private Passenger Auto Program; Rate Filing

On August 1, 2001, the Insurance Department (Department) received a private passenger automobile rate filing from Progressive Northern Insurance Company.

The filing is revenue neutral and requests an effective date of November 5, 2001, for new business and January 2, 2002, for renewal business.

Unless formal administrative action is taken prior to September 30, 2001, the subject filing may be deemed approved by operation of law.

Copies of the filing will be available for public inspection, by appointment, during normal working hours at the Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Michael W. Burkett, Insurance Department, Bureau of Regulation of Rates and Policies, Room 1311, Strawberry Square, Harrisburg, PA 17120 (e-mail at mburkett@state.pa.us) within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
Insurance Commissioner

[Pa.B. Doc. No. 01-1532. Filed for public inspection August 17, 2001, 9:00 a.m.]

### Pennsylvania Medical Society Liability Insurance Company; Physicians and Surgeons Liability Rate and Rule Filing

On August 2, 2001, the Insurance Department (Department) received from the Pennsylvania Medical Society Liability Insurance Company (Company) a filing for a rate level change in physicians and surgeons liability rates.

The Company requests to increase primary rates by an overall 40.0% effective January 1, 2002. Additionally, the Company proposes to revise the limits factors used to develop rates for coverage limits in excess of \$1 million.

Unless formal administrative action is taken prior to September 16, 2001, the subject filing may be deemed approved by operation of law.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Ken Creighton, ACAS, Insurance Department, Bureau of Regulation of Rates and Policies, 1311 Strawberry Square, Harrisburg, PA

### QCC Insurance Company; Filing No. QCC-1-2001, Nongroup Personal Choice Rate Increase; Forms 13029, 13030, 13031

QCC Insurance Company submitted a proposal to increase the premium rates for its Nongroup Personal Choice product. A January 1, 2002, effective date is proposed.

The proposed rate adjustment would affect approximately 19,400 contracts, and would produce additional annual premium income of \$17.4 million.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg and Philadelphia.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry

Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 01-1533. Filed for public inspection August 17, 2001, 9:00 a.m.]

### Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68), in connection with the termination of the insured's automobile policy. The hearing will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's Regional Offices in Harrisburg, Philadelphia and Pittsburgh, PA. Failure by the appellants to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 N. Seventh Street, Harrisburg, PA 17102.

Appeal of Shelby A. Groft; file no. 01-181-04044; Allstate Insurance Company; doc. no. P01-07-017; September 5, 2001, at 10 a.m.

Appeal of Dennis M. and Colleen Kalbarczyk; file no. 01-181-03413; Pennsylvania General Insurance Company; doc. no. P01-07-024; September 11, 2001, at 10 a.m.

Appeal of Thomas W. and Dorothy J. Clarke; file no. 01-181-04296; Prudential General Insurance Company; doc. no. P01-07-021; September 12, 2001, at 10 a.m.

The following hearings will be held in the Philadelphia Regional Office, Room 1701 State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Gertrude Broadnax; file no. 01-280-02827; AAA Mid-Atlantic Insurance Company; doc. no. PH01-07-016; September 13, 2001, at 11:15 a.m.

Appeal of Larry R. and Joan K. Glazerman; file no. 01-181-03996; Shelby Casualty Insurance Company; doc. no. PH01-07-023; September 13, 2001, at 1 p.m.

The following hearing will be held in the Pittsburgh Regional Office, Room 304 State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of Robert W. Contino, Jr.; file no. 01-308-72108; State Farm Insurance Company; doc. no. PI01-07-026; October 12, 2001, at 12:30 p.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses and the like necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal,

and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Tracey Pontius, Agency Coordinator, at (717) 787-4298.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 01-1534. Filed for public inspection August 17, 2001, 9:00 a.m.]

### Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their company's termination of the insured's policies. This administrative hearing will be held in the Insurance Department's regional offices in Harrisburg and Pittsburgh, PA. Failure by the appellants to appear at the scheduled hearing may result in dismissal with prejudice.

The hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of John L. and Florence Keifer; file no. 01-188-04492; Donegal Mutual Insurance Company; doc. no. P01-07-018; September 5, 2001, at 1 p.m.

The hearing will be held in the Pittsburgh Regional Office, Room 304 State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of Theodore Lapponi; file no. 01-181-04399; Nationwide Mutual Fire Insurance Company; doc. no. PI01-07-019; October 12, 2001, at 10 a.m.

Each party may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses and the like necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator, at (717) 787-4298.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 01-1535. Filed for public inspection August 17, 2001, 9:00 a.m.]

## LEGISLATIVE REFERENCE BUREAU

### Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of Bulletin). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no such documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

#### *Executive Board*

Resolution #CB-01-158, Dated July 5, 2001. This resolution authorizes the Collective Bargaining Agreement between the Commonwealth and the Pennsylvania State Education Association, National Education Association, Local Associations at Hiram G. Andrews Center effective July 1, 1999, through June 30, 2004. The estimated cost of the general pay increases and pay conversion for 35 employees in this union are as follows:

July 1, 1999	3.0%	General Pay Increase	\$49,900/yr.
July 1, 2000	3.0%	General Pay Increase	\$51,400/yr.
April 2001	2.0%	Pay Conversion	\$35,300/yr.
July 1, 2001	3.5%	General Pay Increase	\$63,000/yr.
July 1, 2002	3.5%	General Pay Increase	\$65,200/yr.

Resolution #CB-01-159, Dated July 5, 2001. This resolution authorizes the Collective Bargaining Agreement between the Commonwealth and the Correctional Institution Vocational Education Association (CIVEA) effective July 1, 1999, through June 30, 2004. The estimated cost of the general pay increase and pay conversions for 393 employees in CIVEA unit are as follows:

July 1, 1999	3.0%	General Pay Increase	\$457,200/yr.
July 1, 2000	3.0%	General Pay Increase	\$471,000/yr.
April 1, 2001	3.46%	Pay Conversion	\$560,300/yr.
July 1, 2001	3.5%	General Pay Increase	\$565,900/yr.
July 1, 2002	3.5%	General Pay Increase	\$585,700/yr.

Resolution #CB-01-162, Dated July 5, 2001. This resolution authorizes the Collective Bargaining Agreement between the Commonwealth and the Pennsylvania State

Education Association, National Education Association, Local Associations at Scotland School for Veterans' Children and Scranton State School for the Deaf (D4) effective August 16, 1999, through August 15, 2004. The estimated costs of the general pay increases and pay conversion for 76 employees in these schools are as follows:

August 1999	3.0%	General Pay Increase	\$114,100/yr.
August 2000	3.0%	General Pay Increase	\$117,500/yr.
April 2001	0.3%	Pay Conversion	\$12,400/yr.
August 2001	3.5%	General Pay Increase	\$141,200/yr.
August 2002	3.5%	General Pay Increase	\$146,200/yr.

Resolution #CB-01-163, Dated July 5, 2001. This resolution authorizes the Collective Bargaining Agreement between the Commonwealth and the Pennsylvania State Education Association, National Education Association, Local Association at Thaddeus Stevens State College of Technology (D4) effective August 16, 1999, through August 15, 2004. The estimated costs of the general pay increases and pay conversion for 46 employees in this union are as follows:

August 1999	3.0%	General Pay Increase	\$66,400/yr.
August 2000	3.0%	General Pay Increase	\$68,400/yr.
April 2001	0.3%	Pay Conversion	\$8,400/yr.
August 2001	3.5%	General Pay Increase	\$82,500/yr.
August 2002	3.5%	General Pay Increase	\$85,300/yr.

Resolution #CB-01-164, Dated July 10, 2001. This resolution authorizes the collective bargaining agreement with the Pennsylvania State Park Officers Association. The contract amends and replaces the July 1, 1999, through June 30, 2003, collective bargaining agreement, effective June 11, 2001. The additional cost of reclassifying Forest Rangers to Department of Conservation and Natural Resources (DCNR) Rangers and placing them on the DCNR Ranger Pay Schedule is approximately \$95,000 annually, including the cost of moving them from the 37.5-hour schedule to the 40-hour schedule, and the cost of salary sensitive benefits.

#### *Governor's Office*

Manual M215.3—Field Procurement Handbook, Revision No. 1, Dated June 27, 2001.

Manual M530.3—Group Life Insurance Program, Amended June 26, 2001.

Management Directive No. 230.10—Travel and Subsistence Allowances, Revision No. 2, Dated July 10, 2001.

Management Directive No. 230.15—Continental United States High Cost Subsistence Allowances, Amended July 3, 2001.

Management Directive No. 525.16—Physicians and Related Occupations Quality Assurance Program, Amended July 10, 2001.

Management Directive No. 615.3—Rates and Billing for Motor Vehicles of the Commonwealth Automotive Fleet, Amended June 29, 2001.

Administrative Circular No. 01-19—Refueling of Commonwealth Automotive Fleet Vehicles, Dated June 29, 2001.

Administrative Circular No. 01-20—State Employees Purchasing Vehicles at the Commonwealth Auction, Dated July 3, 2001.

Administrative Circular No. 01-21—Automotive Fleet Preventive Maintenance Schedule, Dated July 3, 2001.

Administrative Circular No. 01-22—Availability—Commonwealth Telephone Directory, Dated July 5, 2001.

Administrative Circular No. 01-23—Revised Revenue Estimates, 2001-02 Fiscal Year, Dated July 12, 2001.

GARY R. HOFFMAN,  
*Director*  
*Pennsylvania Bulletin*

[Pa.B. Doc. No. 01-1536. Filed for public inspection August 17, 2001, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board lease will expire:

Montgomery County, Wine & Spirits Shoppe #4614, 219 City Avenue, Merion Station, PA 19066-1803.

*Lease Expiration Date:* August 31, 2002

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 6,000 to 10,000 net useable square feet of new or existing retail commercial space located on City Avenue from Haverford Avenue to Presidential Boulevard.

*Proposals due:* September 7, 2001 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113  
**Contact:** Robert J. Jolly, (215) 482-9671

JOHN E. JONES, III,  
*Chairperson*

[Pa.B. Doc. No. 01-1537. Filed for public inspection August 17, 2001, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Default Order

Public Meeting held  
July 26, 2001

*Commissioners Present:* Glen R. Thomas, Chairperson; Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

*Law Bureau Prosecutory Staff v. Echo Communications, Inc. (2000.0348); C-00015452*

### Default Order

*By the Commission:*

On October 30, 1998, the Commission entered an Order approving the application of Echo Communications, Inc. (Echo Communications) at A-310707 and A-310707,

F0002, for authority to offer telecommunications services as a reseller of interexchange (IXC) toll services and a competitive local exchange carrier (CLEC), respectively, within Pennsylvania. Although a tariff was filed on December 30, 1998, this tariff was insufficient and was not approved by the Commission. No certificate of public convenience was ever issued formalizing the company's provisional authority to compete as either an IXC reseller or as a CLEC because satisfactory initial tariffs regarding these services were never filed with the Commission.

On February 22, 2001, Law Bureau Prosecutory Staff mailed a letter to Echo Communications stating that its IXC reseller and CLEC authorities may be rescinded if the Commission did not receive initial tariffs within 60 days from the date of the letter.

Having not received tariffs from Echo Communications within the specified time, on May 22, 2001, Law Bureau Prosecutory Staff filed a formal complaint against Echo Communications. The complaint charged that Echo Communications violated Section 1302 of the Public Utility Code, 66 Pa.C.S. § 1302, relating to the filing of tariffs, by not filing initial tariffs within the prescribed time. Section 1302 provides in pertinent part:

Under such regulations as the commission may prescribe, every public utility shall file with the commission, within such time and in such form as the commission may designate, tariffs showing all rates established by it and collected or enforced, or to be collected or enforced, within the jurisdiction of the commission.

According to the post office receipt, service of the complaint was perfected on May 23, 2001. To date, more than 20 days later, no answer has been filed to the complaint and no tariffs have been filed. Moreover, our records show that Echo Communications has no reported CLEC or IXC customers at this time; *Therefore, It Is Ordered:*

1. That the allegations in Law Bureau Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. That the Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. That Echo Communications immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to any existing customers directing each to select an alternative carrier service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel Echo Communication's provisional authority absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. That absent the filing of adverse comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, Echo Communications' provisional authority at A-310707 and A-310707, F0002, shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's



Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-1538. Filed for public inspection August 17, 2001, 9:00 a.m.]

### Default Order

Public Meeting held  
July 26, 2001

*Commissioners Present:* Glen R. Thomas, Chairperson;  
Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr.;  
Terrance J. Fitzpatrick

*Law Bureau Prosecutory Staff v. LEC-Link (2000.0348);  
C-00015466*

### Default Order

*By the Commission:*

On November 16, 1998, the Commission entered an Order approving the application of LEC-Link at A-310678 for authority to offer telecommunications services as a reseller of interexchange (IXC) toll services within Pennsylvania. However, no certificate of public convenience was ever issued formalizing the company's provisional authority to compete as an IXC reseller because the initial tariff regarding this service was never filed with the Commission.

On March 8, 2001, Law Bureau Prosecutory Staff mailed a letter to LEC-Link stating that its IXC reseller authority may be rescinded if the Commission did not receive an initial tariff within 60 days from the date of the letter.

Having not received a tariff from LEC-Link within the specified time, on May 22, 2001, Law Bureau Prosecutory Staff filed a complaint against LEC-Link. The Complaint charged that LEC-Link violated Section 1302 of the Public Utility Code, 66 Pa.C.S. § 1302, relating to the filing of tariffs, by not filing an initial tariff within the prescribed time. Section 1302 provides in pertinent part:

Under such regulations as the commission may prescribe, every public utility shall file with the commission, within such time and in such form as the commission may designate, tariffs showing all rates established by it and collected or enforced, or to be collected or enforced, within the jurisdiction of the commission.

According to the post office receipt, service of the complaint was perfected on May 23, 2001. To date, more than 20 days later, no answer has been filed to the complaint and no tariff has been filed. Moreover, our records show that LEC-Link has no reported customers at this time; *Therefore, It Is Ordered:*

1. That the allegations in Law Bureau Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. That the Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. That LEC-Link immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to any existing

customers directing each to select an alternative carrier service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel LEC-Link's provisional authority absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. That absent the filing of adverse comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, LEC-Link's provisional authority at A-310678, shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-1539. Filed for public inspection August 17, 2001, 9:00 a.m.]

### Default Order

Public Meeting held  
July 26, 2001

*Commissioners Present:* Glen R. Thomas, Chairperson;  
Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr.;  
Terrance J. Fitzpatrick

*Law Bureau Prosecutory Staff v. North American Telecommunications Corporation (2000.0348); C-00015464*

### Default Order

*By the Commission:*

On March 12, 1998, the Commission entered an Order approving the application of North American Telecommunications Corporation (North American) at A-310624 and A-310624, F0002, for authority to offer telecommunications services as a reseller of interexchange (IXC) toll services and a competitive local exchange carrier (CLEC), respectively, within Pennsylvania. However, no certificate of public convenience was ever issued formalizing the company's provisional authority to compete as either an IXC reseller or as a CLEC because the initial tariffs regarding these services were never filed with the Commission.

On March 8, 2001, Law Bureau Prosecutory Staff mailed a letter to North American stating that its IXC reseller and CLEC authorities may be rescinded if the Commission did not receive initial tariffs within 60 days from the date of the letter.

Having not received a tariff from North American within the specified time, on May 22, 2001, Law Bureau Prosecutory Staff filed a complaint against North American. The Complaint charged that North American violated Section 1302 of the Public Utility Code, 66 Pa.C.S. § 1302, relating to the filing of tariffs, by not filing initial tariffs within the prescribed time. Section 1302 provides in pertinent part:

Under such regulations as the commission may prescribe, every public utility shall file with the commission, within such time and in such form as the commission may designate, tariffs showing all rates established by it and collected or enforced, or to be collected or enforced, within the jurisdiction of the commission.

According to the post office receipt, service of the complaint was perfected on May 23, 2001. To date, more than 20 days later, no answer has been filed to the complaint and no tariffs have been filed. Moreover, our records show that North American has no reported customers at this time; *Therefore, It Is Ordered:*

1. That the allegations in Law Bureau Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. That the Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. That North American Telecommunications Corporation immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to any existing customers directing each to select an alternative carrier service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's provisional authority absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. That absent the filing of adverse comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, North American Telecommunications Corporation's provisional authority at A-310624 and A-310624, F0002, shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

JAMES J. MCNUITY,  
*Secretary*

[Pa.B. Doc. No. 01-1540. Filed for public inspection August 17, 2001, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before September 10, 2001, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

### Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

**A-00118122. First Class Limousine, Inc.** (5420 Willows Avenue, Philadelphia, Philadelphia County, PA 19142), a corporation of the Commonwealth of Pennsylvania—to transport persons in airport transfer service, from points in the city and county of Philadelphia, to the Philadelphia International Airport, located in the City and County of Philadelphia, and the township of Tinicum,

Delaware County. *Attorney:* Robert J. Sugarman, Robert Morris Building 11th Floor, 100 North 17th Street, Philadelphia, PA 19103.

### Complaint

*Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Vermack Enterprises, Inc;*  
*Doc. No. A-00114954C01*

### Complaint

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania, empowered to regulate motor carriers and brokers within this Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Vermack Enterprises, Inc., respondent, maintains a principal place of business at 105 N. Keyser Avenue, Old Forge, PA 18518.

2. That all times relevant to this Complaint, respondent held a certificate of public convenience issued by this Commission at Application Docket No. A-00114954.

3. That pursuant to Section 512 of the Public Utility Code, 66 Pa.C.S. § 512, and 52 Pa. Code Chapter 32; respondent is required to maintain evidence of current insurance on file with this Commission.

4. That respondent has failed to maintain evidence of bodily injury and property damage liability insurance and cargo insurance, in violation of the Public Utility Code and regulations cited in Paragraph 3 of this complaint.

5. That as a result of failure to maintain evidence of current insurance on file with this Commission, the Bureau of Transportation and Safety Prosecutory Staff requests that the Secretary of the Commission revoke respondent's certificate of public convenience.

*Wherefore*, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Secretary of the Commission revoke the certificate of public convenience held by Vermack Enterprises, Inc. at Docket No. A-00114954, for failure to maintain evidence of current insurance on file with the Commission.

Respectfully submitted,

George T. Mahan, Director  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

### Verification

I, George T. Mahan, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_  
George T. Mahan

### Notice to Plead

A. You must file an answer within twenty (20) days of the date of service. The date of service is the mailing date

as indicated at the top of the Secretarial cover letter for this complaint and notice to plead. 52 Pa. Code § 1.56(a). The answer must raise all factual and legal arguments that you wish to claim in your defense and must include the docket number of this Complaint. Your answer must be verified and the original and two (2) copies sent to:

James J. McNulty, Secretary  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days of the date of service as identified in Paragraph A. above, the Bureau of Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier permit; or brokerage license or imposing such other remedy as may be appropriate.

C. In lieu of an answer, you may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations. The proof of insurance must be filed with the Secretary of the Commission at the address set forth in Paragraph A. Upon receipt of the proof of insurance from your insurer, the complaint proceeding shall be closed. ACORD CERTIFICATES OF INSURANCE ARE UNACCEPTABLE AS EVIDENCE OF INSURANCE.

D. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier permit; or brokerage license.

E. If you file an answer which contests the complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Insurance/Filing Unit at (717) 783-5933.

### Complaint

*Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Petro-Chemical Transport, Inc.; Doc. No. A-00111442C01*

### Complaint

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania, empowered to regulate motor carriers and brokers within this Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Petro-Chemical Transport, Inc., respondent, maintains a principal place of business at P. O. Box 7002, Addison, TX 75001-7002.

2. That all times relevant to this Complaint, respondent held a certificate of public convenience issued by this Commission at Application Docket No. A-00111442.

3. That pursuant to Section 512 of the Public Utility Code, 66 Pa.C.S. § 512, and 52 Pa. Code Chapter 32; respondent is required to maintain evidence of current insurance on file with this Commission.

4. That respondent has failed to maintain evidence of bodily injury and property damage liability insurance, in violation of the Public Utility Code and regulations cited in Paragraph 3 of this complaint.

5. That as a result of failure to maintain evidence of current insurance on file with this Commission, the Bureau of Transportation and Safety Prosecutory Staff requests that the Secretary of the Commission revoke respondent's certificate of public convenience.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Secretary of the Commission revoke the certificate of public convenience held by Petro-Chemical Transport, Inc. at Docket No. A-00111442, for failure to maintain evidence of current insurance on file with the Commission.

Respectfully submitted,

George T. Mahan, Director  
 Bureau of Transportation and Safety  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

### Verification

I, George T. Mahan, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

George T. Mahan

### Notice to Plead

A. You must file an answer within twenty (20) days of the date of service. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice to plead. 52 Pa. Code § 1.56(a). The answer must raise all factual and legal arguments that you wish to claim in your defense and must include the docket number of this Complaint. Your answer must be verified and the original and two (2) copies sent to:

James J. McNulty, Secretary  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days of the date of service as identified in Paragraph A. above, the Bureau of Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier permit; or brokerage license or imposing such other remedy as may be appropriate.

C. In lieu of an answer, you may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations. The proof of insurance must be filed with the Secretary of the Commission at the address set forth in Paragraph A. Upon receipt of the proof of insurance from your insurer, the complaint proceeding shall be closed. ACORD CERTIFICATES OF INSURANCE ARE UNACCEPTABLE AS EVIDENCE OF INSURANCE.

D. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of

Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier permit; or brokerage license.

E. If you file an answer which contests the complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Insurance/Filing Unit at (717) 783-5933.

SCOTT HEWITT T/A  
POINT TRANSFER  
27 WEST 735 SYCAMORE LANE  
WEST CHICAGO IL 60185

In re: A-00114773C0001  
A-00114773

Dear Respondent:

On October 10, 2000, the Bureau of Transportation and Safety instituted a complaint against Scott Hewitt, t/a Point Transfer, respondent, alleging failure to maintain proper evidence of current insurance in violation of the Public Utility Code. The respondent was duly notified that if acceptable evidence of insurance or an answer was not filed, the Bureau would request that the Secretary of the Commission revoke the certificate of public convenience issued to the respondent at A-00114773.

The complaint and notice were published in the December 9, 2000 issue of the *Pennsylvania Bulletin*; to date, more than twenty (20) days later, neither evidence of insurance nor an answer to the complaint has been filed. Therefore, the allegation in the complaint is deemed to be admitted.

The complaint at A-00114773C0001 is hereby sustained and the right(s) and the certificate of public convenience issued to the respondent at A-00114773 be and are hereby revoked; and the respondent has no other operating authority. The respondent is hereby notified to cease and desist from providing service previously authorized under the certificate of public convenience.

Should respondent wish to again provide Pennsylvania intrastate transportation, the filing of a new application and a \$100.00 fee is required. The application and fee shall be filed with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265.

James J. McNulty, Secretary  
(Revised)  
A-00115548C0101  
A-00115548  
F.2

TRI-STATE ARMORED SERVICES, INC.  
219 NORTH WHITE HORSE PIKE  
HAMMONTON, NJ 08037

Re: Tri-State Armored Services, Inc.

Dear Respondent:

On March 13, 2001, the Bureau of Transportation and Safety instituted a Complaint against Tri-State Armored Services, Inc., respondent, alleging failure to pay outstanding assessments of \$4,388, a violation of the Public Utility Code at 66 Pa.C.S. § 510(c).

In accordance with 52 Pa. Code § 5.61, the Notice of the Complaint notified respondent that it must file an Answer to the Complaint within twenty (20) days of the

date of service. The Notice further specified that, if respondent failed to answer the Complaint within twenty (20) days, the Bureau of Transportation and Safety would request the Commission to cancel respondent's Certificate of Public Convenience, direct the Pennsylvania Department of Transportation to put an administrative hold on the respondent's motor vehicle registrations and notify the Pennsylvania Department of Revenue and respondents insurance carriers that respondent's Certificate is revoked.

The Complaint was published in the *Pennsylvania Bulletin*, Volume 31, No. 10, May 26, 2001. To date, more than twenty (20) days later, respondent has failed to file an Answer to the Complaint.

Therefore, the allegations in the Complaint are deemed to be admitted. The Complaint is hereby sustained and the Certificate of Public Convenience, issued to respondent at A-00115548 F.2 is hereby canceled.

Furthermore, respondent will NOT be able to register any new vehicles or renew any existing vehicle registrations until all past due assessments are paid, all past due fines are paid, all insurance filings are up to date, and it holds an active Certificate of Public Convenience issued by this Commission.

This Secretarial Cancellation Letter will also be served on:

The Department of Revenue  
Bureau of Audit Programs  
Sales and Use Taxes  
Tenth Floor, Strawberry Square  
Harrisburg, PA 17128-1061

and on respondent's insurance carriers:

Great American Insurance Company  
300 South Wacker Drive, Suite 1200  
Chicago, IL 60606

Legion Insurance Company  
One Logan Square, Suite 1400  
Philadelphia, PA 19103

Additionally, respondent is hereby notified to cease and desist from further violations of the Public Utility Code, 66 Pa.C.S. §§ 1.1 et seq. and the regulations of the Commission, 52 Pa. Code §§ 1.1 et seq. In view of the cancellation of respondent's Certificate of Public Convenience, it is specifically prohibited from rendering service as a common carrier by motor vehicle in intrastate commerce in the Commonwealth of Pennsylvania.

James J. McNulty,  
Secretary

pc: Department of Revenue  
Great American Insurance Company  
Legion Insurance Company

JAMES J. MCNULTY,  
Secretary

[Pa.B. Doc. No. 01-1541. Filed for public inspection August 17, 2001, 9:00 a.m.]

## Telecommunications

**A-311120F7004. ALLTEL Pennsylvania, Inc. and Devon Mobile Communications, L.P.** Joint petition of ALLTEL Pennsylvania, Inc. and Devon Mobile Communications, L.P. for approval of a commercial mobile radio

services interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

ALLTEL Pennsylvania, Inc. and Devon Mobile Communications, L.P. filed on July 31, 2001, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the ALLTEL Pennsylvania, Inc. and Devon Mobile Communications, L.P. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-1542. Filed for public inspection August 17, 2001, 9:00 a.m.]

---

### Telecommunications

**A-310442F7002. United Telephone Company of Pennsylvania d/b/a Sprint and Blue Ribbon Rentals II, Inc. d/b/a Local Lines America, Inc.** Joint petition of United Telephone Company of Pennsylvania d/b/a Sprint and Blue Ribbon Rentals II, Inc., d/b/a Local Line America, Inc. for approval of an opt-in master resale agreement under section 252(e) of the Telecommunications Act of 1996.

United Telephone Company of Pennsylvania d/b/a Sprint and Blue Ribbon Rentals II, Inc., d/b/a Local Line America, Inc. filed on June 27, 2001, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of a resale agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the United Telephone Company of Pennsylvania d/b/a Sprint and Blue Ribbon Rentals II, Inc., d/b/a Local Line America, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-1543. Filed for public inspection August 17, 2001, 9:00 a.m.]

---

### Telecommunications

**A-311067F7002. The United Telephone Company of Pennsylvania d/b/a Sprint and Dobson Cellular Systems Inc., Sygnet Communications, Inc. and American Cellular Corporation.** Joint petition of The United Telephone Company of Pennsylvania d/b/a Sprint and Dobson Cellular Systems Inc., Sygnet Communica-

tions, Inc. and American Cellular Corporation for approval of a commercial mobile radio services interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania d/b/a Sprint and Dobson Cellular Systems Inc., Sygnet Communications, Inc. and American Cellular Corporation filed on July 27, 2001, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the United Telephone Company of Pennsylvania d/b/a Sprint and Dobson Cellular Systems Inc., Sygnet Communications, Inc. and American Cellular Corporation joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-1544. Filed for public inspection August 17, 2001, 9:00 a.m.]

---

### Telecommunications

**A-311054F7002. United Telephone Company of Pennsylvania d/b/a Sprint and Zephion Networks Communications, Inc.** Joint Petition of the United Telephone Company of Pennsylvania d/b/a Sprint and Zephion Networks Communications, Inc. for approval of a master interconnection and resale agreement under section 252(a)(1) and (e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania d/b/a Sprint and Zephion Networks Communications, Inc. filed on July 27, 2001, at the Pennsylvania Public Utility Commission, a Joint Petition for approval of an Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the United Telephone Company of Pennsylvania d/b/a Sprint and Zephion Networks Communications, Inc. Joint Petition are on file with the Pennsylvania Public Utility Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-1545. Filed for public inspection August 17, 2001, 9:00 a.m.]

**Water and Wastewater Service  
Without Hearing**

**A-210101 and A-230092. The Links at Gettysburg Utilities Company, LLC.** Application of The Links at Gettysburg Utilities Company, LLC., for approval to offer, render, furnish or supply water and wastewater service to the public in the Links at Gettysburg Planned Golf Community located in Mount Joy Township, Adams County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before September 4, 2001, under 52 Pa. Code (relating to public utilities).

*Applicant:* The Links at Gettysburg Utilities Company, LLC.

*Through and By Counsel:* John R. White, Esquire, Campbell and White, 112 Baltimore Street, Gettysburg, PA 17325.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-1546. Filed for public inspection August 17, 2001, 9:00 a.m.]

## STATE EMPLOYEES' RETIREMENT BOARD

### Hearings Scheduled

Hearings have been scheduled, as authorized by 71 Pa. C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of Claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

September 5, 2001	J. Robert Chuk (Transfer of County Service to State Service)	1 p.m.
September 13, 2001	Roslyn V. Harris (Discontinue Temporary Disability Retirement Benefits)	1 p.m.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 4 Pa. Code § 250.01 (relating to applicability of general rules), procedural matters will be in conformance with the General Rules of Administrative Practice and Procedure, 1 Pa. Code, Part II unless specific exemption is granted.

JOHN BROSIOUS,  
*Secretary*

[Pa.B. Doc. No. 01-1547. Filed for public inspection August 17, 2001, 9:00 a.m.]

## TURNPIKE COMMISSION

### Retention of an Engineering Firm

#### Open End Contract Geotechnical-Engineering Services Systemwide

#### Reference No. 3-141

The Turnpike Commission (Commission) will retain an engineering firm for an Open-End Contract for various geotechnical-engineering services on various projects over the entire Turnpike system. This contract will be for a period of 2 years or \$500,000, whichever occurs first.

The firm may be required to perform, but will not be limited to, the following geotechnical engineering services: review geotechnical work performed by private engineering firms; perform geotechnical design for Commission designed projects; prepare scopes of work; investigate slope movements and other geologic hazards for future programming; install and/or monitor geotechnical instruments; provide geotechnical consultation during and after construction; provide drilling inspection in accordance with PennDOT Design Manual Part 4/Publication 293 qualifications and criteria; provide emergency response to geologic hazards; review and comment on Commission procedures and documents; investigate stability of retaining systems; develop specifications; prepare cost estimates; prepare, using DARWin software, and review pavement designs; respond to requests from construction and maintenance for various types of investigations; perform stability analyses of slopes and retaining structures; prepare erosion and sedimentation plans; perform scour analyses and develop remedial solutions; perform settlement analyses and develop remedial solutions; review contour grading plans; review value engineering proposals; prepare prints and information required for a value engineering review; prepare geotechnical engineering reports; attend field views and prepare minutes; prepare submissions for field view meetings; perform field reconnaissance; plot topography and cross sections; and attend coordination and status meetings with Commission personnel and prepare meeting minutes.

In most cases, the Commission will provide drilling and sampling services through separate open-end drilling contracts. However, the firm may be required to let separate contracts for drilling and will be required to have soil, rock and water testing capabilities including resilient modulus testing. The soil and rock testing must be performed at an AASHTO Materials Reference Laboratory accredited laboratory and the water testing must be performed at a Department of Environmental Resources certified laboratory. Some tests may be required to be performed under a Health and Safety Plan (HASP).

The firm may be required to perform two-dimensional resistivity surveys utilizing computerized multiple-electrode (more than four) systems. Data collected must be analyzed using finite element or finite difference two-dimensional modeling programs.

Environmental related work may include, but not be limited to, the following: perform geotechnical investigations under a HASP; develop HASPs for projects; develop remediation for acid mine drainage problems; review preliminary area reconnaissance, initial site assessments, preliminary site investigations, detailed site investigations and waste management plans.

The format and content of all documents, plans and specifications will be consistent with applicable State and Federal regulations and guidelines.

The geotechnical, geological and engineering services previously identified are the general work activities that can be expected under this Open-End Contract. A more specific and project-related scope of work will be outlined for each individual Work Order developed under this Open-End Contract.

The following factors will be considered by the Commission during the evaluation of the firms submitting Letters of Interest for these projects:

a. Specialized experience and technical competence of prime consultant and subconsultants. The Team must clearly demonstrate an ability to analyze available data to make decisions and develop documents to complete the project in a timely and cost effective manner.

b. Past record of performance with respect to cost control, work quality, ability to meet schedules and previous experience on similar projects. The consultant should identify similar projects that have been completed by that firm as the prime, the magnitude of the project and the client.

c. The specific experience and number of individuals who constitute the firm.

d. Workload of the prime consultant and subconsultants for all Pennsylvania Department of Transportation (Department) and Commission projects.

e. Other factors, if any, specific to the project.

Address these items and any necessary further details in a brief yet comprehensive manner in the letter of interest.

Questions and inquiries concerning this Project should be directed to Kenneth M. Heirendt, P.G., Turnpike Commission, Western Regional Office, at (724) 755-5187 or by e-mail to kheirendt@paturndpike.com. Direct contractual questions to George M. Hatalowich at (717) 986-8737, or by e-mail to ghatalow@paturndpike.com.

#### **General Requirements and Information**

Firms interested in providing the previous work and services are invited to submit a Letter of Interest with the required information. The Letters of Interest must include the following:

1. One page transmittal letter clearly identifying the project reference number, brief description of the project from the advertisement, the firm's Federal identification number, the firm's legal name, contact person or project manager, address of corporate office and project office. (If the firm has multiple offices, the location of the office performing the work must be identified.)

2. A three page expression of interest on the advertised project. Each firm should demonstrate their ability to perform the specific requirements indicated for each project and provide explanation that the firm has successfully completed similar type projects of the same magnitude.

3. An organization chart for the Project, identifying key personnel and any subconsultants and their roles. Any deviation from the subconsultant's listed in the letter of interest will require written approval from the Commission.

4. Tabulation or listing of workload for the prime consultant and all subconsultants for all Department and Commission projects. Do not submit the firms workload represented graphically.

5. An Annual Qualification Package similar to the one submitted to the Department for the current year that is in the same District as this project or one that is best suited for this project. A copy of the Annual Qualification Package printed directly from the Department's Engineering and Construction Management Systems website is acceptable.

The Annual Qualification Package copy should contain at a minimum the following information for the prime consultant and all subconsultants and attached to the back of the letter of interest (subs to follow primes):

- Standard Form (SF) 254—Architect-Engineer and Related Services Questionnaire in its entirety, not more than 1 year old as of the date of the advertisement.

- Resumes of key personnel expected to be involved in the project. (limit to one 8 1/2 x 11 page, one side, per person). Only resumes of key personnel should be included.

- Copy of the firm's registration to do business in this Commonwealth as provided by the Department of State for firms with out-of-state headquarters or corporations not incorporated in this Commonwealth.

- A copy of the Department's DBE/WBE Certification, if applicable.

If a Joint Venture responds to a project advertisement, the Commission will not accept separate letters of interest from joint venture constituents. A firm will not be permitted to submit a letter of interest on more than one joint venture for the same project reference number. Also, a firm that responds to a project as a prime may not be included as a designated subconsultant to another firm that responds to the same project advertisement. This does not preclude a firm from being set forth as a designated subconsultant to more than one prime consultant responding to the project advertisement.

Firms interested in performing the previous services are invited to submit a letter of interest and required information to George M. Hatalowich, Engineering Contract Manager, Turnpike Commission Administration Building, 700 South Eisenhower Boulevard, Middletown, PA 17057 (street address). Our mailing address is P. O. Box 67676, Harrisburg, PA 17106-7676.

The letter of interest and required information must be received by 12 p.m. Friday, August 31, 2001. Any letters of interest received after this date and time will be time-stamped and returned.

Based on an evaluation of acceptable letters of interest received in response to these solicitations, one firm will be selected for this project. The order of preference will be established for the purpose of negotiating an agreement with the highest ranked firm established by the Technical Review Committee and approved by the Selection Committee. Technical Proposals or Requests for Proposals will not be requested prior to selection.

The Commission reserves the right to reject all letters of interest, to cancel solicitation requested under this notice and/or to readvertise solicitation for the work and services.

BRADLEY L. MALLORY,  
*Chairperson*

[Pa.B. Doc. No. 01-1548. Filed for public inspection August 17, 2001, 9:00 a.m.]

# STATE CONTRACTS INFORMATION

## DEPARTMENT OF GENERAL SERVICES

Notices of invitations for bids and requests for proposals on State contracts for services and commodities for which the bid amount is reasonably expected to be over \$10,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

**EFFECTIVE JULY 1, 1985, A VENDOR'S FEDERAL IDENTIFICATION NUMBER (NUMBER ASSIGNED WHEN FILING INCOME TAX DOCUMENTS) OR SOCIAL SECURITY NUMBER IF VENDOR IS AN INDIVIDUAL, MUST BE ON ALL CONTRACTS, DOCUMENTS AND INVOICES SUBMITTED TO THE COMMONWEALTH.**

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter.

Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:

The payment date specified in the contract.

30 days after the later of the receipt of a proper invoice or receipt of goods or services.

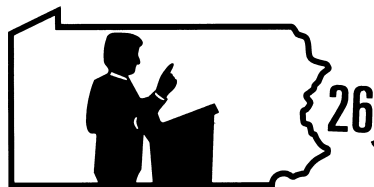
The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center

PA Department of Community and Economic Development  
374 Forum Building  
Harrisburg, PA 17120  
800-280-3801 or (717) 783-5700

### Reader's Guide



Legal Services & Consultation

① Service Code Identification Number

② Commodity/Supply or Contract Identification No.

**B-54137.** Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services

Location: Harrisburg, Pa.

Duration: 12/1/93-12/30/93

Contact: Procurement Division  
787-0000

③ Contract Information

④ Department

⑤ Location

⑥ Duration

⑦

(For Commodities: Contact:)  
Vendor Services Section  
717-787-2199 or 717-787-4705

### REQUIRED DATA DESCRIPTIONS

- ① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.
- ② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.
- ③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.
- ④ Department: State Department or Agency initiating request for advertisement.
- ⑤ Location: Area where contract performance will be executed.
- ⑥ Duration: Time estimate for performance and/or execution of contract.
- ⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.

(For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

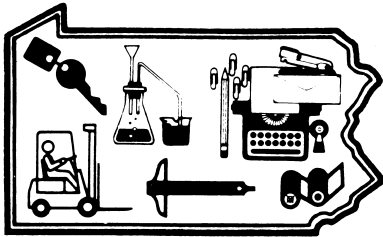


## GET A STEP AHEAD IN COMPETING FOR A STATE CONTRACT!

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. Our efforts focus on guiding the business community through the maze of state government offices. The bureau is, by law, the central repository for all state contracts over \$5,000. Bureau personnel can supply descriptions of contracts, names of previous bidders, pricing breakdowns and other information to help you submit a successful bid on a contract. We will direct you to the appropriate person and agency looking for your product or service to get you "A Step Ahead." Services are free except the cost of photocopying contracts or dubbing a computer diskette with a list of current contracts on the database. A free brochure, "Frequently Asked Questions About State Contracts," explains how to take advantage of the bureau's services.

Contact: **Bureau of Contracts and Public Records**  
 Pennsylvania State Treasury  
 Room G13 Finance Building  
 Harrisburg, PA 17120  
 717-787-2990  
 1-800-252-4700

BARBARA HAFER,  
*State Treasurer*



### Commodities

**6810-09** Boiler Water Treatment Chemicals. For a copy of bid package fax request to (717) 787-0725.

**Department:** General Services  
**Location:** Bureau of Supply Operations (Warehouse)  
**Duration:** 12/01/01—11/30/02  
**Contact:** Vendor Services, (717) 787-2199

**1077211** Furnish and Install Lees Faculty IV Carpet Tile. For a copy of bid package fax request to (717) 787-0725.

**Department:** Public Welfare  
**Location:** Philadelphia, PA  
**Duration:** FY 2001-02  
**Contact:** Vendor Services, (717) 787-2199

**924282** Stainless Steel Brine Making System capable of producing a min. of 3,000 gal. per hr.

**Department:** Transportation  
**Location:** Maint. Dist. 1-2, (Erie Co.), 9031 Peach Street, Waterford, Pa. 16441  
**Duration:** System to be installed for 2001/2002 winter season  
**Contact:** Richard McLaughlin, (814) 678-7145

**1081221** Portable Water Sampler Units, Light Weight, Compact. American Sigma Model 800-SL, ILSCO Model 6700 or approved equal. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

**Department:** Fish and Boat Commission  
**Location:** State College, PA  
**Duration:** FY 2001-02  
**Contact:** Vendor Services, (717) 787-2199

**N-2015** Vendor is to furnish and deliver two (2) Rooftop Air Handling Units to the Youth Development Center at New Castle. Equipment is to be Luxaire #DL-10C00NMDAA1A, or approved equal. Please call for specifications, 724-656-7310.

**Department:** Public Welfare  
**Location:** Youth Development Center, Frew Mill Road, R. R. 6, Box 21A, New Castle, PA 16101  
**Duration:** Undetermined  
**Contact:** T. E. Mateja, Pur. Agt., (724) 656-7310

**7314710** Printer Cartridges. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

**Department:** Liquor Control Board  
**Location:** Harrisburg, PA  
**Duration:** FY 2001-02  
**Contact:** Vendor Services, (717) 787-2199

**1010-035** PA Department of Transportation in Armstrong County is in need of 2- 5,000 gallon calcium chloride tanks for stockpiles in Armstrong Co. These tanks would be supplied and installed at Crooked Creek Stockpile on SR 2019 in Manor Twp. and Distant Stockpile on SR 28 in Mahoning Twp.

**Department:** Transportation  
**Location:** PA Department of Transportation, Corner of Water & Willow Sts, P. O. Box 1016, Kittanning, PA 16201-1016  
**Duration:** Tanks must be installed and working by 12-31-01  
**Contact:** Susan Carson, (724) 543-1811

**4509** Fabrics. Various types to include twill, broadcloth, denim, poplin, etc.

**Department:** Corrections  
**Location:** State Correctional Institutions throughout the State  
**Duration:** 1 year  
**Contact:** MaryAnn Ulrich, (717) 731-7134

**PGC-2728** Agency is seeking a contractor to supply roof trusses for a 100 foot by 40 foot block garage/storage building located in Ligonier, PA. Total will consist of 74 attic trusses and two end trusses. Complete specifications will be given upon request of bid package.

**Department:** Game Commission  
**Location:** Pennsylvania Game Commission Automotive & Procurement Division, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797  
 Upon award through June 30, 2002  
**Contact:** Diane Shultz or Linda Beaver, (717) 787-6594

**1062201** Vehicle, Mobile Laboratory. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

**Department:** State Police  
**Location:** Harrisburg, PA  
**Duration:** FY 2001-02  
**Contact:** Vendor Services, (717) 787-2199

**468713** Scott Air Pack 4.5, 4500 PSI 45 Minute Carbon Cylinder, E-2 Flu Regulator AV2000 Face Piece with Intreated Pass Alarm.

**Department:** Corrections  
**Location:** State Correctional Institution at Camp Hill, P. O. Box 8837—2500 Lisburn Road, Camp Hill, PA 17001-8837  
 Items needed now  
**Contact:** Michelle Ryan, (717) 975-5267

**5850-01** Microcomputer, LAN Hardware & Peripherals. During each quarter of the current calendar year, new contractors may seek to be added to the list of qualified contractors for the Microcomputer & Local Area Network (LAN) Hardware & Peripherals, 5850-01. Also existing qualified contractors may seek to become qualified for additional categories of supplies or services. In order to be considered, contractors must submit a completed bid, 5850-01 to ensure receipt by the Commonwealth on or before 1:30 PM Eastern Time on the last Commonwealth business day of each quarter (the "deadline"). A "quarter" is defined as the three consecutive calendar months ending with the last business day of the months of March, June, September, and December of a calendar year. Those bids received before the deadline will be evaluated beginning the 1st business day of the month immediately following the deadline. The evaluation cycle will take an estimated 25 Commonwealth business days (subject to workload and holidays). Bids received after the deadline (but on or before the deadline for the next quarter) will be held and evaluated after the deadline for the next quarter. There will be no exceptions. To receive copy of bid package fax request to (717) 787-0725 or call our faxback system at (717) 705-6001.

**Department:** General Services  
**Location:** Harrisburg, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199

**6350-01** Security System Services. During each quarter of the current calendar year, new contractors may seek to be added to the list of qualified contractors for the Security System Services, 6350-01. Also existing qualified contractors may seek to become qualified for additional categories of supplies or services. In order to be considered, contractors must submit a completed bid, 6350-01 to ensure receipt by the Commonwealth on or before 1:30 PM Eastern Time on the last Commonwealth business day of each quarter (the "deadline"). A "quarter" is defined as the three consecutive calendar months ending with the last business day of the months of March, June, September, and December of a calendar year. Those bids received before the deadline will be evaluated beginning the 1st business day of the month immediately following the deadline. The evaluation cycle will take an estimated 25 Commonwealth business days (subject to workload and holidays). Bids received after the deadline (but on or before the deadline for the next quarter) will be held and evaluated after the deadline for the next quarter. There will be no exceptions. To receive copy of bid package fax request to (717) 787-0725 or call our faxback system at (717) 705-6001.

**Department:** General Services  
**Location:** Harrisburg, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199

**6350-03** Surveillance & Security Equipment & Supplies. During each quarter of the current calendar year, new contractors may seek to be added to the list of qualified contractors for the Surveillance & Security Equipment & Supplies, 6350-03. Also existing qualified contractors may seek to become qualified for additional categories of supplies or services. In order to be considered, contractors must submit a completed bid, 6350-03 to ensure receipt by the Commonwealth on or before 1:30 PM Eastern Time on the last Commonwealth business day of each quarter (the "deadline"). A "quarter" is defined as the three consecutive calendar months ending with the last business day of the months of March, June, September, and December of a calendar year. Those bids received before the deadline will be evaluated beginning the 1st business day of the month immediately following the deadline. The evaluation cycle will take an estimated 25 Commonwealth business days (subject to workload and holidays). Bids received after the deadline (but on or before the deadline for the next quarter) will be held and evaluated after the deadline for the next quarter. There will be no exceptions. To receive copy of bid package fax request to (717) 787-0725 or call our faxback system at (717) 705-6001.

**Department:** General Services  
**Location:** Harrisburg, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199

**1020** Provide drinking water and hot and cold water coolers to the outlying Butler County Stockpiles and also provide drinking water to Maintenance Office and the lunch room.

**Department:** Transportation  
**Location:** 351 New Castle Road, Butler, Pa 16001  
**Duration:** May 1, 2002 to April 30, 2005  
**Contact:** Andrew A. Skunda, (724) 395-8226

**LE-01003** Model 2001 Grady White 19 Ft. Dual Console Model Tournament 192 boat. Boat must be pre-rigged to accept a Mercury Optimax 200 HP Outboard Engine.

**Department:** Fish and Boat Commission  
**Location:** Harrisburg, PA  
**Duration:** One time purchase  
**Contact:** Dennis Grove, (717) 705-7915

**8251050** Board, Message, Solar, Variable, 4x8. For a copy of bid package fax request to (717) 787-0725.

**Department:** Transportation  
**Location:** Harrisburg, PA  
**Duration:** FY 2001-02  
**Contact:** Vendor Services, (717) 787-2199

**LE-01002** Embroidery of logo on summer and winter ballcaps. Vendor to supply the embroidery service and ballcaps.

**Department:** Fish and Boat Commission  
**Location:** Harrisburg, PA  
**Duration:** One time purchase  
**Contact:** Dennis Grove, (717) 705-7915

**X19794** Provide 375 Wilton Armetale Plates plus engraving.

**Department:** Environmental Protection  
**Location:** Harrisburg, PA  
**Duration:** Needed for luncheon scheduled in April, 2002  
**Contact:** Sharon Peterson, (717) 787-2471

**5810-03** Microcomputer & Local Area Network (LAN) Software. During each quarter of the current calendar year, new contractors may seek to be added to the list of qualified contractors for the Microcomputer & Local Area Network (LAN) Software, 5810-03. Also existing qualified contractors may seek to become qualified for additional categories of supplies or services. In order to be considered, contractors must submit a completed bid, 5810-03 to ensure receipt by the Commonwealth on or before 1:30 PM Eastern Time on the last Commonwealth business day of each quarter (the "deadline"). A "quarter" is defined as the three consecutive calendar months ending with the last business day of the months of March, June, September, and December of a calendar year. Those bids received before the deadline will be evaluated beginning the 1st business day of the month immediately following the deadline. The evaluation cycle will take an estimated 25 Commonwealth business days (subject to workload and holidays). Bids received after the deadline (but on or before the deadline for the next quarter) will be held and evaluated after the deadline for the next quarter. There will be no exceptions. To receive copy of bid package fax request to (717) 787-0725 or call our faxback system at (717) 705-6001.

**Department:** General Services  
**Location:** Harrisburg, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199

**1366350** Toyota Prius Cars-36-month lease w/purchase option. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

**Department:** Environmental Protection  
**Location:** Harrisburg, PA  
**Duration:** FY 2001-02  
**Contact:** Vendor Services, (717) 787-2199

**8251080** Latest Model Excavator, Hydraulic with Diesel Engine. For a copy of bid package fax request to (717) 787-0725.

**Department:** Transportation  
**Location:** Harrisburg, PA  
**Duration:** FY 2001-02  
**Contact:** Vendor Services, (717) 787-2199

**8251110** Latest Model Supermelt Kettle, 250 gallon w/air compressor and conveyor. For a copy of bid package fax request to (717) 787-0725.

**Department:** Transportation  
**Location:** Harrisburg, PA  
**Duration:** FY 2001-02  
**Contact:** Vendor Services, (717) 787-2199

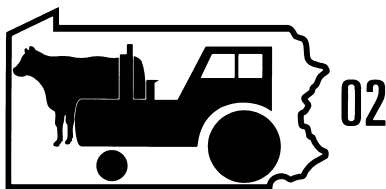
**0120027** Supply approximately nine prewet tanks to be mounted on Department dump trucks for winter maintenance activities.

**Department:** Transportation  
**Location:** PennDOT, Erie County Maintenance, 9031 Peach St., Waterford, PA 16441  
**Duration:** Delivery to be as soon as possible after award  
**Contact:** William Sachse, (814) 871-4411

**ADV-133** Indiana University of Pennsylvania (IUP) is seeking bids for ethylene glycol for heating and cooling systems throughout campus. Requests for copies of bid package should be made in writing referencing #ADV-133 and directed to Roxie M. Johnson, Purchasing Agent, IUP, 650 S. 13th Street, Indiana, PA 15705; Fax (724) 357-2670; Email: rmjohnsn@grove.iup.edu. Requests for bid package will be accepted until August 31, 2001. The University encourages responses from small and disadvantaged, minority, and women-owned firms.

**Department:** State System of Higher Education  
**Location:** Indiana University of Pennsylvania, Indiana, PA 15705  
**Contact:** Roxie M. Johnson, (724) 357-3077

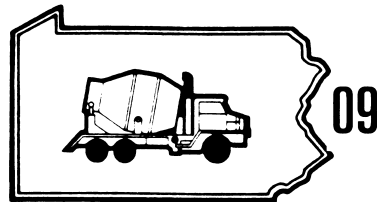
## SERVICES



### Agricultural Services

**PGC-2727** Agency is seeking a contractor to furnish and apply soil fumigate to 6.5 acres of land located in Howard, PA for pest control. The soil fumigate, MBC-33, Methyl Bromide Chloropicrin consists of 67% Methyl Bromide and 33% Chloropicrin and must be applied at a rate of 350 lbs. per acre. The application will be applied between September 10, 2001 and September 14, 2001 with two (2) working days notice, weather permitting.

**Department:** Game Commission  
**Location:** Pennsylvania Game Commission Automotive and Procurement Division, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797  
**Duration:** Upon award through September 14, 2001  
**Contact:** Diane Shultz or Linda Beaver, (717) 787-6594



### Construction & Construction Maintenance

**FDC-425-642.1** All General Construction work associated with renovations to Park Office at Tyler State Park in Bucks County. Work includes excavation, concrete, masonry, carpentry, roofing, doors and windows, and painting. Project estimate is between \$100,000 and \$500,000. NOTE: Requests for Bid Documents may be made ON or AFTER August 20, 2001. Cost of Documents is \$31.80 payable by CREDIT CARD only—American Express, Discover, Master Card of Visa.

**Department:** Conservation and Natural Resources  
**Location:** Newton Township  
**Duration:** 240 days  
**Contact:** Construction Management Section, (717) 787-5055

**DGS A 251-437** PROJECT TITLE: Upgrade HVAC System: BRIEF DESCRIPTION: Replace the HVAC system, office lighting and partial electrical distribution with new. ESTIMATED RANGE: \$100,000.00 to \$500,000.00. HVAC and Electrical Construction. PLANS DEPOSIT: \$25.00 per set payable to: COMMONWEALTH OF PA. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$5.00 per set or provide your express mail account number to the office listed below. Mail requests to: Department of General Services, Room 107 Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Tel: 717/787-3923. Bid Date: WEDNESDAY, August 29, 2001 at 11:00 A.M.

**Department:** General Services  
**Location:** PennDOT Maintenance Building, New Castle, Lawrence County, PA  
**Duration:** 160 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE  
**Contact:** Contract and Bidding Unit, (717) 787-6556

**SP 10781005** Asphalt Paving. For detailed specifications, contact the Purchasing Department at Wernersville State Hospital.

**Department:** Public Welfare  
**Location:** Wernersville State Hospital, Route 422, Berks County, P. O. Box 300, Wernersville, PA 19565-0300  
**Duration:** Anticipated Start Date: November 1, 2001  
**Contact:** Nancy Deininger, Purchasing Agent, (610) 670-4129

**2001-20-001** Re-surfacing of State Forest Road with 2 RC at rate of 1,275 tons per mile.

**Department:** Conservation and Natural Resources  
**Location:** Wyoming State Forest, Shannenburg Road  
**Duration:** Through December 31, 2001  
**Contact:** Richard A. Gliniski, (570) 387-4255

**DGS A 251-482** PROJECT TITLE: Replace Existing Heating System: BRIEF DESCRIPTION: Remove asbestos containing equipment and pipe insulation. Demolish entire steam heat system, including two (2) boilers. Install new HVAC systems including small hydronic heat boilers for basement heat and snow melting, infrared radiant heating systems, rooftop HVAC unit, vehicle exhaust hose reels, makeup air unit, electric heat equipment and associated natural gas piping system, air distribution duct systems, suspended acoustical ceilings and lighting. Upgrade electrical system. ESTIMATED RANGE: \$200,000.00 to \$600,000.00. HVAC, Electrical and Asbestos Abatement Construction. PLANS DEPOSIT: \$25.00 per set payable to: COMMONWEALTH OF PA. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$5.00 per set or provide your express mail account number to the office listed below. Mail requests to: Department of General Services, Room 107 Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Tel: 717/787-3923. Bid Date: WEDNESDAY, August 29, 2001 at 11:00 A.M.

**Department:** General Services  
**Location:** PennDOT Maintenance Building, Warren, Warren County, PA  
**Duration:** 140 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE  
**Contact:** Contract and Bidding Unit, (717) 787-6556

**FDC-425-642.2** All HVAC work associated with renovations to Park Office at Tyler State Park in Bucks County. Work includes HVAC Systems; geothermal energy recovery wells (400 L.F.), and piping (800 L.F.). Project estimate is less than \$50,000.00. NOTE: Requests for Bid Documents may be made ON or AFTER August 20, 2001. Cost of Documents is \$31.80 payable by CREDIT CARD only—American Express, Discover, Master Card of Visa.

**Department:** Conservation and Natural Resources  
**Location:** Newton Township  
**Duration:** 240 days  
**Contact:** Construction Management Section, (717) 787-5055

**FDC-425-642.3** All Plumbing work associated with renovations to Park Office at Tyler State Park in Bucks County. Project estimate is less than \$50,000.00. NOTE: Requests for Bid Documents may be made ON or AFTER August 20, 2001. Cost of Documents is \$31.80 payable by CREDIT CARD only—American Express, Discover, Master Card of Visa.

**Department:** Conservation and Natural Resources  
**Location:** Newton Township  
**Duration:** 240 days  
**Contact:** Construction Management Section, (717) 787-5055

**FDC-425-642.4** All Electrical work associated with renovations to Park Office at Tyler State Park in Bucks County. Project estimate is less than \$50,000.00. NOTE: Requests for Bid Documents may be made ON or AFTER August 20, 2001. Cost of Documents is \$31.80 payable by CREDIT CARD only—American Express, Discover, Master Card of Visa.

**Department:** Conservation and Natural Resources  
**Location:** Newton Township  
**Duration:** 240 days  
**Contact:** Construction Management Section, (717) 787-5055

**DGS A 970-153 Rebid** PROJECT TITLE: Install Water Line. BRIEF DESCRIPTION: Install approximately 800' of 8" D.I.P. water line, 400' plus or minus of 3" service line, vehicle wash pad and an oil-water separator. ESTIMATED RANGE: \$100,000.00 to \$500,000.00. Plumbing Construction. PLANS DEPOSIT: \$25.00 per set payable to: COMMONWEALTH OF PA. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$5.00 per set or provide your express mail account number to the office listed below. Mail requests to: Department of General Services, Room 107 Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Tel: 717/787-3923. Bid Date: WEDNESDAY, September 5, 2001 at 2:00 P.M.

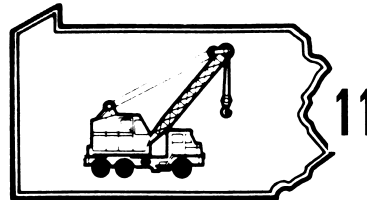
**Department:** General Services  
**Location:** PA National Guard Armory—OMS #24, 504 Cavalry Rd., Carlisle, Cumberland County, PA  
**Duration:** 150 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE  
**Contact:** Contract and Bidding Unit, (717) 787-6556

**SP 3821211002** Place stone veneer on new addition at the Forest District 16 Office Building.

**Department:** Conservation and Natural Resources  
**Location:** The Forest District 16 Office Building, Wellsboro, Pennsylvania  
**Duration:** Work should be completed by November 16, 2001  
**Contact:** Barry Eppley, (814) 486-5638

**023014** This contract will provide manpower, equipment, and incidental guidrail material installation of approx. 22,000 linear feet of strong post guidrail a various locations throughout Clinton County. All guidrail material will be supplied by the Department of Transportation except for the bolts, nuts, washers, rotating brackets, bridge connection plates, anchor bolts, concrete for the end treatments and end anchorages. It will be the contractor's responsibility to pick up the material and deliver it to the worksites. A mandatory pre-bid meeting (one day) will be held to include review of the guidrail locations, and a site will be determined where the guidereail will be stored. The Department shall be responsible for the removal of all existing guidrail and for any grading of shoulder stabilization prior to the placement of the guidereail by the Contractor. All requests for bid packages must be received by Fax at (570) 893-2430. All bidders must be pre-qualified to bid on this project. PA Prevailing Wage Act does apply.

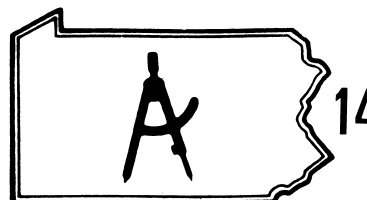
**Department:** Transportation  
**Location:** Various locations within Clinton County  
**Duration:** One year contract with two-one year renewals  
**Contact:** Tammie J. McHenry, (570) 893-2430



### Demolition—Structural Only

**0641004** Request for sealed bids for the demolition & removal of structures at 105—123 Main Street, Collegeville, PA for SR0029 Section L01.

**Department:** Transportation  
**Location:** Collegeville, PA (Montgomery County)  
**Duration:** Open  
**Contact:** Roger Joseph, (610) 205-6505



### Engineering Services

**PGC-2729** The Pennsylvania Game Commission is soliciting proposals for a surveying firm or surveying/engineering firm to conduct property line boundary services on various State game lands located throughout the southwestern portion of Pennsylvania. The services will encompass surveys of property line boundaries, courthouse research of adjoining ownerships, preliminary field surveys, computation of final lines and corners, the establishment or re-establishment of monuments and marking boundaries.

**Department:** Game Commission  
**Location:** Pennsylvania Game Commission Automotive and Procurement Division, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797  
**Duration:** Upon award through one (1) year with option to renew for (3) three additional years  
**Contact:** Diane Shultz or Linda Beaver, (717) 787-6594

**010G10** Provide on call drilling, equipment & personnel for geotechnical investigations within PennDOT Engineering District 1-0. Counties include: Crawford, Erie, Forest, Mercer, Venango & Warren. All requests for bid packages must be faxed to: (814) 678-7051.

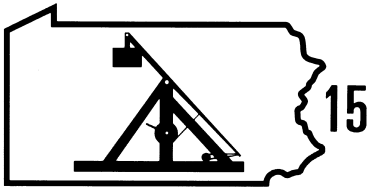
**Department:** Transportation  
**Location:** PennDOT 1-0, 255 Elm Street, Oil City, PA 16301  
**Duration:** One year with two two-year renewals  
**Contact:** Amy Judson-Burak, (814) 678-7185

**N/A** Provide consulting service for the collection of hydrogeologic data for permitting of surface mines and refuse reprocessing operations. Consultant must be prequalified by the Small Operator Assistance Program or Remining Operator's Assistance Program in order to be eligible for this activity. If you would like more information about this program, you may call 717-787-7007. Persons who require an auxiliary aid, service, or other accommodation may use the Pennsylvania AT&T Relay Service at 1-800-654-5984 to be connected to 717-787-7007.

**Department:** Environmental Protection  
**Location:** 5th floor, Rachel Carson State Office Building, P. O. Box 8461, Harrisburg, PA 17105-8461  
**Duration:** July 1, 2001 to June 30, 2002  
**Contact:** Lou DiLissio, (717) 787-7007

**PennDOT-ECMS** The Pennsylvania Department of Transportation has established a website advertising for the retention of engineering firms. You can view these business opportunities by going to the Department of Transportation's Engineering and Construction Management System at [www.dot2.state.pa.us](http://www.dot2.state.pa.us).

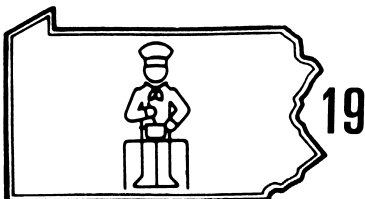
**Department:** Transportation  
**Location:** Various  
**Contact:** [www.dot2.state.pa.us](http://www.dot2.state.pa.us)



### Environmental Maintenance Service

**BF 455-201.1** Abandoned Mine Land Reclamation, Coal Stripping Inc. involves approximately 700 c.y. ditch excavation, 1,000 s.y. rock lining with geotextile, 3 acre selective grading, backfilling of pond and seeding 4 acres. This project issues August 17, 2001; payment in the amount of \$10.00 must be received before bid documents will be sent.

**Department:** Environmental Protection  
**Location:** Speers and Dunlevy, Washington County  
**Duration:** 130 calendar days after notice to proceed  
**Contact:** Construction Contracts Section, (717) 783-7994



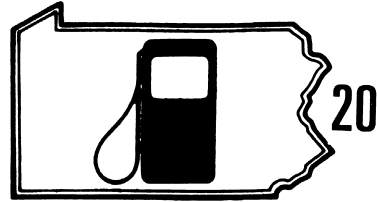
### Food

**I-4-01** Meat & Meat Products.

**Department:** Public Welfare  
**Location:** White Haven Center, RR #2, Box 2195, White Haven, PA 18661  
**Duration:** October, November, December 2001  
**Contact:** Sandra A. Repak, P.A., (570) 443-4232

**7864** Perishable Foods: Meats, Poultry, Seafood/Fish, Miscellaneous, Juice, Prepared Salads, Prepared Produce, Fresh Fruits/Vegetables, Bread/Rolls, Ice Cream, Dairy Products, Frozen Fruits/Vegetables, Fresh Eggs, Cheese, Fresh Pies/Cakes and Fresh Pastry.

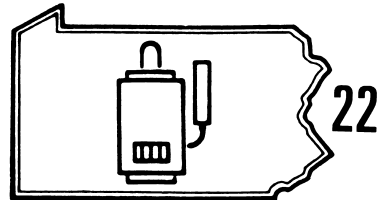
**Department:** Public Welfare  
**Location:** Danville State Hospital, 200 State Hospital Drive, Danville, PA 17821-9198  
**Duration:** October 1, 2001—December 31, 2001  
**Contact:** Kristina Robbins, (570) 271-4578



### Fuel Related Services

**1523** Upgrade of one underground storage tank fuel system to include fuel island, pumps, leak detection system, concrete swale, relocation of storm drain, etc... and removal and disposal of the second underground tank.

**Department:** Military Affairs  
**Location:** Lehigh OMS #27A, 1000 Bridge St., Lehigh, PA 18235  
**Duration:** DOA—15 Feb 2002  
**Contact:** Emma Schroff, (717) 861-8518



### HVAC Services

**SP111800007** The contractor agrees to provide preventative maintenance, repairs and parts to the (3) Baker's Aid Gas Rotating Rack Ovens, Model #BARO-2G located in the kitchen area of the State Correctional Institution at Coal Township.

**Department:** Corrections  
**Location:** Department of Corrections, State Correctional Institution at Coal Township, 1 Kelley Drive, Coal Township, Pa. 17866  
**Duration:** Three years  
**Contact:** Nancy A. Lasko, Purchasing Agent 2, (570) 644-7890 x 142



### Laundry/Dry Cleaning & Linen/Uniform Rental

**080601** Provide uniforms to our maintenance personnel which shall include picking up, cleaning, and returning uniforms to county garage on a weekly basis. Bid package may be obtained by faxing request to Ty L. Hall at 570-368-5675. Request must contain company name, address, phone and fax number, and contact person.

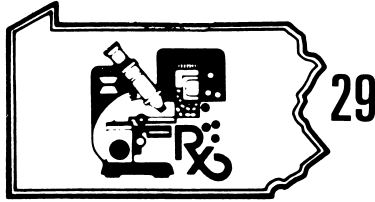
**Department:** Transportation  
**Location:** 716 Jordan Ave., PO Box 218, Montoursville, PA 17754-0218  
**Duration:** 3 years

**TP-002** Three year contract for uniforms for PennDOT Lackawanna County 4-2, Clarks Summit, PA. Specifications for the pants and shirts are to be the following: **STYLE**—Employee has option of short or long sleeve, **MATERIAL**—Welder = 100% cotton, all other employees blended, i.e. 65/35. **COLOR**—Navy blue pants, light blue shirt. Two Automotive Mechanic Supervisors' shirts are to be white. **EMBLEMS**—PennDOT shall be on the left side of the shirt. Employee's choice of name or nickname on the right side of shirt. Contractor shall be able to supply various sizes. Once a week pick-up and cleaning, 11 sets per person (five changes up to 16 employees at 5 changes per week).

**Department:** Transportation  
**Location:** PA Department of Transportation, P. O. Box 227, Morgan Highway & Grove Street, Clarks Summit, PA 18411  
**Duration:** 3 Years  
**Contact:** Thomas Philbin, Purchasing Agent, (570) 586-2211

**0310unf** Provide uniforms for our maintenance personnel which shall include picking up, cleaning, and returning uniforms to county garage on a weekly basis. Bid package may be obtained by faxing request to S.A. Hunsinger at 570-387-4254. Request must contain company name, address, phone and fax numbers, and contact person.

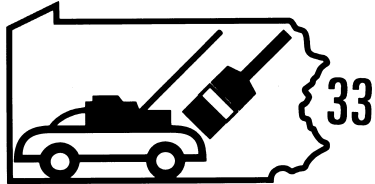
**Department:** Transportation  
**Location:** PennDOT, 45 Lunger Drive, Bloomsburg, PA 17815  
**Duration:** 3 year



### Medical Services

**RFP 01-12** The Department of Corrections is seeking a contractor to provide alcohol and other drug treatment services to inmates at SCI Frackville, Mercer, Retreat and Waynesburg.

**Department:** Corrections  
**Location:** Department of Corrections, 2520 Lisburn Road, Camp Hill, PA 17011  
**Duration:** Three years with two one-year renewal options  
**Contact:** Linda Malinak, (717) 975-4931



### Property Maintenance

**SP 10781007** Exterior Painting of Building #12. For detailed specifications, contact the Purchasing Department at (610) 670-4129.

**Department:** Public Welfare  
**Location:** Wernersville State Hospital, Route 422, Berks County, P. O. Box 300, Wernersville, PA 19565-0300  
**Duration:** Anticipated Start Date: November 1, 2001  
**Contact:** Nancy Deininger, Purchasing Agent, (610) 670-4129

**DES038A** Re-advertising for lawn services and snow & ice removal services at the Rockview Driver Exam Site. Requests for bid packages can be obtained by calling (717) 783-3931 or fax request to (717) 783-7971, Attn: Susan Sobotor.

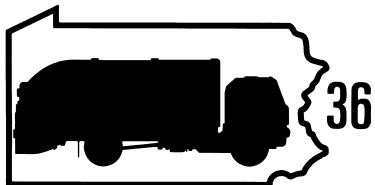
**Department:** Transportation  
**Location:** Rockview Driver Exam Site, 820 College Avenue, Pleasant Gap, PA 16823  
**Duration:** 5 years  
**Contact:** Susan Sobotor, (717) 783-3931

**3881101003** Services to plant approximately 180,020 conifer and hardwood trees on the Sproul, Elk and Susquehannock State Forest. Install 2,100 tree shelters. Planting will be on 26 locations.

**Department:** Conservation and Natural Resources  
**Location:** DCNR, Bureau of Forestry, HCR 62, Box 90, Renovo, Pa. 17764  
**Duration:** June 30, 2002  
**Contact:** Richard Kugel, (570) 923-6011

**08-A-01 SNOW REMOVAL SERVICES.** To request a bid package please call Cheri Thomas at 717-787-2877 or fax request to 717-787-0688.

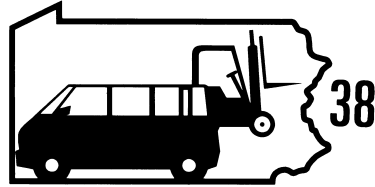
**Department:** Labor and Industry  
**Location:** Department of Labor and Industry, Team Pa CareerLink Hazleton, 75 North Laurel Street, Hazleton, Pa 18201  
**Duration:** December 1, 2001 through April 30, 2002. This is a one (1) year contract with three (3) one (1) year renewal option.  
**Contact:** Cheri Thomas, (717) 787-2877



### Sanitation

**0510-002 dumpster** Refuse and trash removal throughout Berks County.

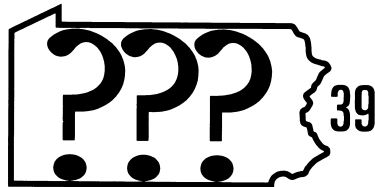
**Department:** Transportation  
**Location:** 9 county stockpile locations. County map included in bid package.  
**Duration:** 3 year contract plus One 2 Year Renewal  
**Contact:** Timm Tenges, (610) 929-0766



### Vehicle, Heavy Equipment and Powered Machinery Services

**901110** Fifteen (15) Monroe Model LDS-333 prewetting system with 75 gallon tank.

**Department:** Transportation  
**Location:** Markley Street & Johnson Hwy, Norristown, Pa 19140  
**Duration:** October 15, 2001  
**Contact:** Steve Mueller, (610) 275-2368



### Miscellaneous

**CU99-202.1** Project consists of the Baily, Cope, Waring, Harris Turner and Logan Annex Roof Replacement at Cheyney University. Work involves demolition of existing roof systems and replacement as specified and indicated on drawings. Bid documents available August 20, 2001. Pre-bid at Site September 5, 2001. Bids due September 20, 2001. Request for bid packets from Office of Contracts.

**Department:** State System of Higher Education  
**Location:** Cheyney University, Cheyney and Creek Roads, Cheyney, PA 19319-0200  
**Duration:** 160 calendar days from receipt of Notice to Proceed  
**Contact:** Antonia Williams, (610) 399-2360

**SP-260114 Re-bid** Furnish, install and maintain a leased digital music and announcement system in approximately twenty-three (23) Pennsylvania Wine & Spirits Shoppes.

**Department:** Liquor Control Board  
**Location:** Pennsylvania Wine & Spirits Shoppes  
**Duration:** 3 years with 3 one-year options  
**Contact:** Robert L. Isenberg, (717) 787-9855

**10974007** Periodical Subscription Services.

**Department:** Public Welfare  
**Location:** Warren State Hospital, 33 Main Dr., N. Warren, PA 16365-5099  
**Duration:** 1 year from start of subscription  
**Contact:** Ms. Bobbie Muntz, PA III, (814) 726-4496

**SP3881040101** Services required for the installation of a woven wire fence in Elk Lick Township, Somerset County.

**Department:** Conservation and Natural Resources  
**Location:** Forbes Forest District #4, P. O. Box 519, Laughlinton, PA 15655-0519  
**Duration:** Upon completion of the contract and terminate 6/30/02. Work must be completed by 11/21/01.  
**Contact:** Cory Wentzel, (724) 238-5039

**RFP 350R03** The Department of Transportation (PennDOT) is issuing a Request for Proposal (RFP) to select a contractor interested in developing and presenting media skills training to a wide range of PennDOT employees. The training will promote effective communication with the media (i.e. television, radio, print). Awarded contractor will also be responsible for obtaining training sites and coordinating related services. Interested contractors may request a copy of the RFP by FAXING their name, company name, address, telephone number, and FAX number to Kathy Joy-Brosius at (717) 783-7971. Please reference RFP 350R03 on your request.

**Department:** Transportation  
**Location:** Commonwealth of Pennsylvania  
**Duration:** Multiple year with possibility of renewals.  
**Contact:** Bill Gipe, (717) 783-8906

**2001-F-01** Estimate angler catch, harvest, catch rate, and harvest rate, angler effort and angler trips for American Shad, Hickory Shad and Striped Bass and other species pursued by anglers on the Delaware River and Estuary.

**Department:** Fish and Boat Commission  
**Location:** Delaware River areas  
**Duration:** March 2002 through July 2002  
**Contact:** Dennis Grove, (717) 705-7915

[Pa.B. Doc. No. 01-1549. Filed for public inspection August 17, 2001, 9:00 a.m.]

---

## DESCRIPTION OF LEGEND

---

- |  |   |
|--|---|
| <p><b>1</b> Advertising, Public Relations, Promotional Materials</p> <p><b>2</b> Agricultural Services, Livestock, Equipment, Supplies &amp; Repairs: Farming Equipment Rental &amp; Repair, Crop Harvesting &amp; Dusting, Animal Feed, etc.</p> <p><b>3</b> Auctioneer Services</p> <p><b>4</b> Audio/Video, Telecommunications Services, Equipment Rental &amp; Repair</p> <p><b>5</b> Barber/Cosmetology Services &amp; Equipment</p> <p><b>6</b> Cartography Services</p> <p><b>7</b> Child Care</p> <p><b>8</b> Computer Related Services &amp; Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p><b>9</b> Construction &amp; Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p><b>10</b> Court Reporting &amp; Stenography Services</p> <p><b>11</b> Demolition—Structural Only</p> <p><b>12</b> Drafting &amp; Design Services</p> <p><b>13</b> Elevator Maintenance</p> <p><b>14</b> Engineering Services &amp; Consultation: Geologic, Civil, Mechanical, Electrical, Solar &amp; Surveying</p> <p><b>15</b> Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core &amp; Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p><b>16</b> Extermination Services</p> <p><b>17</b> Financial &amp; Insurance Consulting &amp; Services</p> <p><b>18</b> Firefighting Services</p> <p><b>19</b> Food</p> <p><b>20</b> Fuel Related Services, Equipment &amp; Maintenance to Include Weighing Station Equipment, Underground &amp; Above Storage Tanks</p> <p><b>21</b> Hazardous Material Services: Abatement, Disposal, Removal, Transportation &amp; Consultation</p> | <p><b>22</b> Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental &amp; Repair</p> <p><b>23</b> Janitorial Services &amp; Supply Rental: Interior</p> <p><b>24</b> Laboratory Services, Maintenance &amp; Consulting</p> <p><b>25</b> Laundry/Dry Cleaning &amp; Linen/Uniform Rental</p> <p><b>26</b> Legal Services &amp; Consultation</p> <p><b>27</b> Lodging/Meeting Facilities</p> <p><b>28</b> Mailing Services</p> <p><b>29</b> Medical Services, Equipment Rental and Repairs &amp; Consultation</p> <p><b>30</b> Moving Services</p> <p><b>31</b> Personnel, Temporary</p> <p><b>32</b> Photography Services (includes aerial)</p> <p><b>33</b> Property Maintenance &amp; Renovation—Interior &amp; Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning &amp; Planting, etc.)</p> <p><b>34</b> Railroad/Airline Related Services, Equipment &amp; Repair</p> <p><b>35</b> Real Estate Services—Appraisals &amp; Rentals</p> <p><b>36</b> Sanitation—Non-Hazardous Removal, Disposal &amp; Transportation (Includes Chemical Toilets)</p> <p><b>37</b> Security Services &amp; Equipment—Armed Guards, Investigative Services &amp; Security Systems</p> <p><b>38</b> Vehicle, Heavy Equipment &amp; Powered Machinery Services, Maintenance, Rental, Repair &amp; Renovation (Includes ADA Improvements)</p> <p><b>39</b> Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
|--|---|

KELLY LOGAN,  
*Acting Secretary*

STATE CONTRACTS INFORMATION

**Contract Awards**

The following awards have been made by the Department of General Services, Bureau of Purchases:

<b>Requisition or Contract No.</b>	<b>PR Award Date or Contract Effective Date</b>	<b>To</b>	<b>In the Amount Of</b>
4230-01	08/08/01	Mid Atlantic Fire & Air	50,000.00
4230-01	08/08/01	Premier Safety & Service	50,000.00
4230-01	08/08/01	Safety Headquarters	100,000.00
9985-02 Sup#5	08/08/01	Patricia Giordano/ta Creative Catering	50,000.00

<b>Requisition or Contract No.</b>	<b>PR Award Date or Contract Effective Date</b>	<b>To</b>	<b>In the Amount Of</b>
9985-02 Sup#5	08/08/01	Olga & Co	50,000.00
9985-15 Sup#2	08/08/01	Paul Metrocavage/dba Metro Pest Control Services	50,000.00
1043211-01	08/07/01	Unisys	34,374.00

KELLY LOGAN,  
*Acting Secretary*

[Pa.B. Doc. No. 01-1550. Filed for public inspection August 17, 2001, 9:00 a.m.]





